

## COUNCIL WORK SESSION, APRIL 19, 2011

The work session of the Council of the Town of Altavista was held in the Council Chambers of the Municipal Building, 510 Seventh Street on April 19, 2011 at 3:00 p.m.

1. Mayor Burgess called the meeting to order and presided.

Council members

present:

Mr. J.R. Burgess  
Mr. Ronald Coleman  
Mrs. Beverley Dalton  
Mr. Charles Edwards  
Mr. Bill Ferguson  
Mr. Jay Higginbotham  
Mr. Michael Mattox

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager  
Mr. Dan Witt, Assistant Town Manager

Mr. Edwards arrived at 4:30 p.m.

Mayor Burgess advised “This is a work session. We've already had two public hearings. The only people who will speak are the people on Council, people with Dominion, the Town Manager, and the Town Attorney. We won't hear from anybody else because we've already had public hearings. Pursuant to Section 9 of the Altavista Town Charter, this special meeting of the Altavista Town Council is called to order as of now. The amendment of the agenda includes discussion regarding the library roof project. You have before you Dominion's requests. You all asked for this. Ask what you wanted for. This is my first time ever experiencing this type of situation. We have it now. Now who wants to speak first?”

Mr. Coggsdale stated “To capture in essence what Staff has done up to this point to try to prepare for today's meeting. Before you, you have Town Council work session items that discuss what we as Staff over the last week tried to bring together what we have seen as the documented issues that have been raised by Council and even raised through the public hearing process. You have two documents at your place. One is blue and one is green. The blue one is the specific conditions that have been a work in progress since the Planning Commission meeting. The other is a list of eight questions that were forwarded to Staff after the last meeting, the public hearing. On the white sheet, it kind of addresses each documented issue and where you may find that issue addressed in either the blue document or the green document. When you see "PC," it refers to the blue document. When you see "Q," it refers to the green document. What we have tried to do is narrow the focus down on what the issues may be. This is from Staff's perspective, so I guess it would be important for Council to look at these issues and see if this list covers the important things that you feel are on your plate for discussion today. Should something be added to this list, should something be deleted from this list? It might be good to try to focus on what are the high priorities in regard to this list. So make sure the high priorities or the bigger priorities gain the focus of your attention. I just threw that out for you trying to develop a point to start from.”

Mrs. Dalton asked if she could ask a question. “First of all, if I could ask by a show of hands how many people in this room actually live in the Town of Altavista at the present time. Thank you. By an effort to start the discussion off at the heartbeat of the focus of the issue in my opinion, I would like to hear from Dominion as to the traffic between Pittsylvania and Wood Lane and what in their operational format will affect traffic positively and potentially with more traffic, so we are clear. In my opinion, that's the heartbeat of my issues, it has to do with the traffic created by a chip truck passing the newly to be converted plant and going to the one on Grit Road and vice versa. So that I'm clear before I ask a bunch of dumb questions, would someone address how they think that's going to shake out, what the numbers might be, what's going to affect it.”

Mr. Eck answered, “Okay.”

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Mayor Burgess advised, "If you would, give your name."

Mr. Eck continued, "My name is Jim Eck. I'm with Dominion Virginia Power. I want to thank you for the opportunity to come speak again and have a candid discussion about all aspects of the consideration for the Special Use Permit. I may refer to others that I brought who may be experts on topics and ask for your liberty to be able to do that."

Mrs. Dalton replied, "Sure."

Mr. Eck stated, "When we talk about this, I will start off answering the questions."

Mayor Burgess asked, "Dan, is that mic on?"

Mr. Eck stated, "I can hunker down a little bit."

Mayor Burgess offered, "It was made for short men."

Mr. Eck asked, "Can you hear me now?"

Mayor Burgess replied, "Yes"

Mr. Eck stated, "Thank you. As I said, what I would like to do is I would like to take that point head on. And I'd ask throughout the process, however this process works today, that if you don't feel as though we've adequately addressed something, please ask a follow up question and we will continue until we get to the bottom of the issues and understand them. I appreciate the preparation that was provided for this."

Mrs. Dalton stated, "I assume you have the same documents we do."

Mr. Eck replied, "Yes. We received them just a little bit ago. That was helpful. I think we will answer your questions. And my understanding as mentioned by Mr. Coggsdale, these are the issues. This is a list of issues to be discussed as I understand it. I also have received specific conditions and a list of questions. So to make sure I understand, that's the universe as I understand it right now."

Mrs. Dalton stated, "Of what we have in front of us."

Mr. Coleman stated, "That's not the whole universe, but that's a start."

Mrs. Dalton stated, "That's what we have in front of us as provided by Staff."

Mr. Coggsdale asked, "Anything to add at this time?"

Mrs. Dalton stated, "Not that I'm aware of. Let's answer my question, and we can go On."

Mr. Eck stated, "I appreciate it. Let me just answer your question. How do we think things are going to work? How are things going to work on the traffic flow coming north to Pittsylvania on to Main Street? I believe that's very much your question. How will we manage that? Let me give a preliminary answer and then I'm going to turn to some others to add some additional detail. We spoke about this, so I just want to make sure that for clarity here we looked to be sourcing fuel to provide fuel for both facilities. We anticipate that the majority of the fuel that will come to the Altavista plant will be coming from the north. The majority of fuel from the natural economics that will be coming to the Pittsylvania facility will be that fuel that is supplied from the south. That is what we have spoken about. It's the segregation by the economics and that the fuel -- the incremental fuel cost that a trucker would have to drive the additional mile would cause them to be sourced and be delivering to the Grit facility, to that facility. We anticipate the majority of the flow to the Altavista plant will be coming down North Main Street. What we will do is we will live with the SUP stipulations that we have offered, which are the limits of 50 trucks that would come north. What we would do is we would be scheduling the loads. We anticipate ..."

Mrs. Dalton stated, "The 50, let me clarify, you mean passing Wood Lane and coming onto Pittsylvania after entering the north ..."

Mr. Eck stated, "We are talking about the 50 that would be coming up Pittsylvania Avenue and turning on Main and going north. That 50 is limited in the SUP. As we indicated, that would be the maximum we would allow with the anticipated majority coming from the other direction, would actually come south on Main due to the economics. As we look to be sourcing the fuel, it will be clearly most economical for those that are closer to the Altavista facility to deliver there. They will have less diesel cost. That's what we talked about, the natural migration. The way we will ensure that this SUP is met, that stipulation of 50 trucks, is we will be -- as we schedule the trucks, we will also be communicating to them and ensuring that that route is abided by. We will use our direct communication with our haulers and our contracts that we have to make sure we don't have a violation of the SUP."

Mrs. Dalton stated, "As I understand the definition of truck -- we got that done the other day -- if I could turn to the definition of a trip instead of a truck, so if we have 50 trucks going from Pittsylvania up Main north, in all likelihood that truck will return and come back down Main and cause the second trip, if you will, for the same truck?"

Mr. Eck stated, "It really depends. I will let some other people speak to that. It would depend upon what was happening. If it was picking up ash, for instance, what it's route would be. I'm going to let some of our other people talk about how we are going to manage the trucks. Dave Faison is the director. He's going to speak to this. He may refer to some other people as well."

Mr. Faison stated, "I think your assumption that 50 loads come in equals 50 loads going out is probably a pretty accurate assumption. There may be some departures from that. As Jim mentioned, we may carry a load of ash out to a farm. I don't think it's a bad assumption to do it that way."

Mrs. Dalton stated, "So we might be talking about a hundred trips rather than --"

Mr. Faison stated, "Yes."

Mrs. Dalton stated, "Fifty trucks, but there would be all likelihood coming and going by the same route?"

Mr. Faison stated, "I think so. I think that's the safest worst case to make. What Jim was talking about, we don't believe in most cases we will have that number of trips because of this natural segregation we expect to occur. We are also going to try to encourage that."

Mrs. Dalton asked, "Could I interrupt you with a question that might get us to the chase faster? As I understand it, the price being paid for the chips at each plant at times is different, different here, different here, in an effort to motivate the stockpile evening out? In other words, if you need chips here for however many days supply, your price goes down? Does that make sense? If we have lots and lots of chips over here and we don't need so many more, maybe the price --"

Mr. Faison stated, "I think I know what you are getting at about the price portative between the two sites and influencing the difference."

Mrs. Dalton stated, "It seems like to me -- and I'm making a leap here. If the price were the same at both plants, it seems like your natural migration would make more sense to me."

Mr. Faison stated, "That's exactly what I think it's going to be. You mentioned some exceptions. I can give you some examples of when an exception may occur. For instance, in the situation we are undergoing right now at the Pittsylvania Station. We are preparing for a plant shutdown for maintenance. We are trying to pull the pile down to do two things. Because the pile would be static, we are

trying to look after the spontaneous combustion issue that goes on when you store wood for a long period of time. And also we are trying to be able to continue to receive wood even though the plant is not operating so our loggers and suppliers -- of course there are many, many of them are very small businesses -- are able to keep delivering to us because they have equipment payments to make, they have payroll to make, they have cash flow uses. If we shut down for four weeks for maintenance and they can't haul; it puts a big strain on them. We are lowering that pile down for that."

Mrs. Dalton stated, "Your intention is a gradual easing down and gradual easing back up rather than on and off?"

Mr. Faison stated, "We have a number of methods of accomplishing such a thing. We can put quotas. We can say all our suppliers; you normally bring us 15 loads. This week, you can only bring us eight loads. We can do that. We can instead of opening five days a week, we are only open four days this week. We can do it with price, which is probably the least likely way we will do it. We will probably keep price the same between the two plants unless we have a real issue of supply. For instance, let's say on the north side up in Bedford where we are trying to get fuel sourced into this Altavista station, come down business to the plant, maybe the distance where these guys are cutting is farther away than the southern sources. So we might increase the price a little bit at Altavista to encourage those northern suppliers to deliver into Altavista rather than having the southern guys come up through town. We are going to try to encourage that type of activity when we can. There may be some operational reasons why we might have to not do that, but most of the time the price is going to be the same. We will use other non-price factors to encourage the migration. Does that answer your question?"

Mrs. Dalton replied, "Yes. For you to say that price is absolutely the same at both all the time takes one of your tools of your tool box for one thing and probably doesn't enable you to draw even from a northern area to the Altavista plant when you need to. But your pricing will not motivate a logger to come and pass one plant going to the other?"

Mr. Faison stated, "I can't see that happening except when this plant is down for maintenance and that one is running hard and heavy and we need to encourage it. I think those are going to be the real exceptions, not the rules."

Mrs. Dalton stated, "That answers my idea about price."

Mayor Burgess questioned, "Are you through?"

Mrs. Dalton stated, "No, but I will concede to Ronnie and come back."

Mr. Coleman asked, "How do you document the number of trucks going to the plant? If so, would we be privy to that same information to make sure you are staying within the 50 proposed a day?"

Mr. Faison stated, "That's a great question. Let me talk about that. How are we going to make sure that it's no more than 50 coming through here without having truck counters sitting on the side of the road? What our intention is to manage this, we have over 150 suppliers at the Pittsylvania station, sometimes as many as 200. You can imagine keeping track of that many could be difficult. I expect a similar number in Altavista. What we intend to do to manage is to authorize one or two, depending on the count, of our largest suppliers the ability to use the north -- or south/north route on from Pittsylvania Avenue north. All our other suppliers aren't going to be authorized to use that. They are going to have to stay on the restrictions that we put there. That way we will know I authorized two suppliers this week. I know how many loads he brought me today, and it's only 25. We can count them that way versus having a guy standing out on the road trying to count trucks and get on the radio and stop that. We are going to authorize very few people to do that. We

will know that. You wanted to know about how many trucks we get. Every truck that comes in the plant comes across the scale and has a unique number assigned to it that we use to pay them. We know daily. We know every day since 1994 how many trucks came in that day. So we have that data because we have to pay by that. Does that answer your question?"

Mr. Eck stated, "If I can just follow up –

Mrs. Dalton asked, "Would it be painful to share it on a snapshot basis?"

Mr. Eck stated, "That is what I was going to add. Periodically share the traffic, yes."

Mrs. Dalton stated, "If our citizenry is jumping up and down because we think there are a lot more than we've authorized, we are going to need some way to justify to them we have our own set of checks and balances. It may not be an issue that gets out of hand. But if there is one that gets out of hand, that's going to be a hot one."

Mr. Eck stated, "Councilwoman Dalton, what we would commit to is that we will provide periodic reports on that."

Mayor Burgess asked, "Would Roy be the man we go to find out that information?"

Mr. Faison stated, "I don't want to give you a name. That's who I would call to start with."

Mayor Burgess responded, "You turned around and looked at him. I know he's the man who buys the chips."

Mr. Faison stated, "Roy buys all the fuels. He knows all the suppliers."

Mr. Higginbotham stated, "How many trucks a day are delivering to Hurt?"

Mr. Faison stated, "Right now, about 120."

Mr. Byrd asked, "What did you say?"

Mr. Faison asked, "How many trucks a day to Pittsylvania? It's about 120, 125."

Mr. Byrd stated, "We had 114 yesterday. It depends on the market, it depends on the generation level."

Mrs. Dalton asked, "What's your highest count that you can recall?"

Mr. Byrd questioned, "That I ever had in one day?"

Mrs. Dalton responded, "Yes, sir."

Mr. Byrd stated, "Snowing every Wednesday for four weeks in January, the electric grid maxed out, people drawing electricity, we were low on inventory, the most trucks I have ever taken in one day is 311."

Mrs. Dalton responded, "Wow."

Mr. Byrd stated, "But we had to have it –

Mrs. Dalton stated, "Under severe circumstances."

Mr. Byrd stated, "-- to keep the fuel up. It depends on the generation."

Mr. Mattox stated, "While you are thinking, how many of those tracks now because of Hurt's VDOT's action now going through Altavista?"

Mr. Byrd asked, "How many what?"

Mr. Mattox asked, "How many trucks are now going through Altavista to feed the Grit Plant? I have heard 140 from somebody in your organization."

Mr. Byrd stated, "Again, it's a generation level. When the plant is generating and what the inventory is and the generation is tied to the weather, it's either the heat of the summer, the cold of the winter, excessive moisture, rain, snow, or outage periods at other plants, which all come into play. As these fellas said, last year I received fuel from 164 vendors. I have over 200 on record. One of the keys is my saw mills. No matter what you do, the saw mills are permanent. Robinson Lumber Company in Renan comes every day. Kendall Lumber Company is coming in. He's coming the same route. The deviation in this is where the timber cutters, where the loggers are securing the timber, where they are able to get the best buy. Mr. Shelton is back here. He's cutting up next to Pittsville now. Two weeks ago, he was cutting in Gretna. He could be cutting anywhere, as can all of these loggers. And they are the folks that are the deviation in how it comes in. Mr. Snead is a broker. The bulk of his material comes in from 501 across.

Mayor Burgess stated, "Those people don't come down Altavista at all. Anybody coming 501 now, they don't get to Altavista. They stop and turn around and go back.

Mr. Byrd replied, "That's right. Unless they have some other—

Mayor Burgess responded, "I understand."

Mr. Byrd stated, "They may have to take a trailer to put tires on it or something like that. The brokers like Mr. Snead, the bulk of his, I would say 75, 80 percent of Ronnie's stuff is coming that direction. He may have a saw mill that he's pulling for in Amherst, Appomattox, or whatever, then he would be coming in. You really look at the vendors and you can kind of -- the deviation is the loggers where they are."

Mr. Mattox stated, "My initial question was: Is 140 trucks now on average going through Altavista going to your plant, is that reasonable?"

Mr. Byrd responded, "No."

Mr. Mattox asked, "Is that high, low?"

Mr. Byrd responded, "That's high."

Mr. Mattox asked, "What would you estimate on average? I won't hold you to it. Just a reasonable estimate, how many are you getting?"

Mr. Byrd stated, "Last year I'm going to say I averaged 525 loads of wood in a week, 105, 107 a day. That's just an average –

Mr. Mattox asked, "Coming through Altavista?"

Mr. Byrd stated, "-- no."

Mr. Mattox stated, "I specifically want -- it's good you are keeping them in Pittsylvania County. I appreciate that."

Mr. Byrd stated, "That's what I'm telling you. The saw mills are constant from the directions they come from."

Mr. Mattox stated, "I understand that. Do you have an average how many is coming Through Altavista?"

Mr. Byrd responded, "Let's say 60 percent. That's just an average. It could be up. It could be down."

Mr. Mattox questioned, "So 60 trucks a day?"

Mr. Byrd responded, "Yes. Again, it depends on where they come from."

Mr. Eck stated, "To close out on that, as Dave Faison mentioned, we would only be authorizing a very select of our large suppliers to come north Pittsylvania to Main. Then we are very agreeable to provide you periodic reports on that as a component against the thresholds in the SUP.

Mrs. Dalton, "I don't want to be taking us through a ridiculous exercise. Sometimes I think it's important to put on the table what the ideal is. And then if we can't get all there obviously, you know, so what. But if you know and we know what -- or what you know from our perspective what a scenario for this Main Street traffic would be and you all have the power to move it in that direction, I think it's helpful to put it out there. From my perspective it's no trucks going from Pittsylvania County to Wood or Wood Lane back to Pittsylvania. So to that degree, I just think it's important to put out there what's in the back of our mind. It would be heaven sent if we can have this plant not having those trucks going up and down. Understanding that can't happen, but to the degree you can control it I would hope that you would just on a voluntary basis. Now the next subject I just can't help but bring up that might help mitigate that -- and it's not a very popular idea. Yet there are other industries that I'm aware of such as asphalt and rock crushing that utilize hauling at night on a regular basis. So in the back of my mind, you can haul all you wanted to up and down Main Street from Pittsylvania to Wood and back again after 10 o'clock at night or when there is not the day-to-day and older aged and very young, inexperienced drivers citizenry about Altavista, up and down Main Street. I wanted to put an ideal scenario out there to the degree that it ever dawned on. You want to address the night thing.

Mr. Eck responded, "Yes, we will address the night thing. Our intention is to use the management of the flows as we talked about to keep the natural segregation and voluntarily do that. Let's talk about the night traffic. I will have Dave come up and talk about that and others.

Mr. Faison, "I'm going to call on one of my experts in just a moment. I did want to mention one thing about this product we are buying from these loggers. May be some of you know this. I don't want to insult anybody's intelligence. But the guys that are in the logging business are buying tracts of timber to sell what they saw call merchantable timber. That's logs that are used in the pulp or paper industry or of significant size that they are used in the lumber industry. When they go to buy a tract of timber, they put a bid in with the land owner who is trying to sell off his timber. He's trying to get the highest price. All the landowners, it's come to be the norm these days, expect to have their land clear when all that logging work is done because they want to replant either in timber or pasture land, whatever the landowner's desire is. The logger that comes in and bids on a tract of timber must have the ability to chip the waste and get it off site or his bid will not be entertained. He makes his money from these merchantable logs I talked about, the ones that are the proper size for pulp and paper and timber. This waste product is something that is generated as part of that money making part of his business. He has to get rid of it because the landowner says he has to get rid of it. It's not a profit. What we pay these guys, I think we are paying them 20 bucks a ton or something like that. It's probably costing him 18, 19 bucks to produce it. It's not a big amount of money. The money is in the big logs heading out of there. So our ability to influence the industry have changed how it operates when all we pay is cost for a waste product, it is kind of small. We are not buying the pulp logs. We are not buying the saw logs. We are taking the waste product and paying him mostly his cost. Our influence is a little bit low. That's all I'm going say about the lumber and logging industry because I'm not an expert. A couple of guys here are. We've asked them if they would try to address some of these questions and how they operate and with more credentials than I have. If you don't mind, I can have Roy come back up or Mr. Snead or Mr. Shelton. Mr. Shelton is our seventh largest supplier in Pittsylvania. Mr. Snead is probably one of our largest haulers. If that's okay?"

Mrs. Dalton responded, "Sure."

Mr. Faison stated, "Mr. Shelton, Mr. Snead, and Roy."

Mr. Eck stated, "The nighttime is the question."

Mayor Burgess stated, "Please give your name, Roy."

Mr. Byrd stated, "I'm Roy Byrd. I'm the fuel procurement manager at the power plant. I live over in Chatham. Nighttime, nighttime would mean that the loggers, the brokers, the saw mills would have to put on a second shift of drivers. As Dave said to you, they haul the bread and butter. The bread and butter is the saw logs. The bread and butter is the pulp wood. At the saw mill, the bread and butter is the lumber. The by-product, the chips, the sawdust, their waste by-products that gets hauled last. The saw mill is going to haul the bread and butter first as a logger. You would be asking them to put on a second shift to move the material. Hauling at nighttime as far as the loggers are concerned, I'm sure that there's a safety issue involved for those drivers going back to those sites. They are not lighted. I'm sure there are insurance regulations that are involved. One of you gentlemen asked here last week about the infractions and whatnot. You would take the trucks off the road during the day, which means the DOT would not be able to get to them if they are any violations. There's several things that are involved. Most of it involves extra expense to these gentlemen to do that. As Dave said, this is a by-product. It is not the high priced commodity that these folks make their living at. I hope that helps."

Mrs. Dalton responded, "Yes, it does."

Mayor Burgess stated, "You might want to comment. You feel that's –

Mrs. Dalton asked, "Have you ever hauled at night, and what would it take for you to do that?"

Mr. Snead responded, "Yes, ma'am. Some of the places we deliver to operate 24 hours a day. There are no places that restrict hauling exclusively to night time in Virginia and North Carolina that I'm aware of. I have been in business for 33 years. Most of them don't accept it 24 hours a day, but some of them do. In order for me, we have 150 trailers at the wood producing plants. We have to assign a tractor to these plants to move loads out as they are loaded and put an empty in or at least have an empty there that mill can put in. So if I had to haul everything at night, I would have to buy a substantial number of trailers and provide a substantial number of spot trucks with manpower to move these trailers in and out during the day to keep the mill going."

Mrs. Dalton stated, "Let me ask you this -- I don't mean to interrupt you. Let me ask you this: If you had the choice of hauling to one or the other of these plants without using Main Street in Altavista, that main corridor coming between Wood Lane and Pittsylvania and you could come in there any time you wanted to or you could use Main Street at night, then could you self-select to come into one of those plants without using Main Street? Do you see what I mean?"

Mr. Snead responded, "I think I do, but most of my loads come from Halifax County up through straight –

Mrs. Dalton responded, "Right."

Mr. Snead stated, "I'm going to Hurt unless –

Mrs. Dalton stated, "They are not taking chips?"

Mr. Snead, stated, "Unless they need some."

Mr. Higginbotham stated, "We need to talk to somebody that is coming into Altavista."

Mr. Snead stated, "I have material that comes into Altavista. When the Altavista's plant was open, we hauled the sawdust into the Altavista plant. Almost all those



loads came in up 29 and came down Main Street because that's where the production was. The loads were produced and hauled up 29 north to the last exit and brought back down. Some of them came in the other way, but the majority of it came in that way. Of course, we haul the fly ash out of the Hurt power plant also. So the farmers in Campbell/Bedford County, we have to come this way to get to them. Otherwise we would have to go the other way. And these farmers, it wouldn't be available to them. To address the issue of hauling exclusively at night, there is no one that requires that."

Mrs. Dalton stated, "I wouldn't be suggesting that. I was just suggesting that if you were going to have to come into Altavista on Pittsylvania Avenue and turn up Main to go to the Altavista newly converted plant, that that particular route would be done at night. Not that we would require all of it. I was just asking about the feasibility of it. I think I understand. Thank you."

Mayor Burgess asked, "The other gentleman, you come through town like –

Mr. Higginbotham questioned, "Did you understand what Ms. Dalton just said?

Mrs. Dalton stated, "That I wasn't suggesting all –

Mr. Higginbotham questioned, "Could you live with a night restriction on the Pittsylvania route and no restriction -- with no restriction on Route 29 North?"

Mr. Snead responded, "I'm not sure. I never had that presented to me before. I don't quite know how to answer it because I don't know quite how to handle it. It would still require some staging -- it would require some loading of equipment and staging it to have it haul at night because it's not produced at night. There's added cost involved."

Mrs. Dalton questioned, "So you would be loading and it would be sitting?"

Mr. Snead replied, "Yes, ma'am."

Mrs. Dalton asked, "If it went back, it would just have to sit until daylight again?"

Mr. Snead replied, "Yes, ma'am. There's no loading at night."

Mr. Byrd stated, "Let me give you an example of a load he pulls. He can bring a load of hardwood sawdust up out of North Carolina in the morning and go to Covington to Mead-Westvaco and deliver that load of dust that they need in their carbon facility. We have an agreement with Westvaco in Covington that we buy their excess boiler fuel. Ronnie then can pick up a load of boiler fuel from Westvaco and he's got a back haul. He's not coming back empty. So he gets loaded there in the morning at eight o'clock and by 10 o'clock, 10:30, 11 o'clock in the morning, he's back here with a load of fuel for us. Now, if he had to deliver at night, he has to go somewhere with that load of wood and extra expense.

Mr. Higginbotham questioned, "If he's coming down 29, he goes right into the Altavista plant. We're not stopping him from doing that."

Mrs. Dalton stated, "I don't know, Roy, that you understand. We are not suggesting that all hauling be done at night. We are just suggesting that those 50 trucks, a hundred trips we have been talking about that zip up -- that would come up and down Main Street. Do you understand, Jim, what I'm talking about?

Mr. Eck responded, "I do understand. One of the considerations would be there could be circumstances where the fuel supply we are looking at is not available coming down that route. So if we were restricted to only run at night and there was not a lot of fuel coming down Main Street, what would occur in that situation is we might not be able to have a reliability of the plant because we have a load -- if all we could do was nighttime delivery and at that point the chips were coming from the other direction, you are

mandating that route, now what we are into is we are in a situation where we have a fuel viability and sustainability and risk issue.”

Mrs. Dalton state, “I think by asking the question may be you get the point even more dramatically that it is those trucks up and down Main Street that are my main concern. I understand the hardship it would put on the logger. I also understand we are talking about a waste product he has to get rid of somewhere. It's helpful if somebody would pay him something for it. Otherwise he has to figure out other methods, longer hauls, et cetera to get rid of it. I understand that. I do think it's helpful to put these ideas out there to a degree that at some point in time you don't miss the point. Thank you.

Mr. Eck stated, “Point taken.”

Mrs. Dalton asked, “If there's a gentleman that wants to speak to this night hauling in any way, I will be happy to listen.”

Mr. Shelton stated, “I'm Chad Shelton. I'm the guy that bounces around all over the place, the logger. This week, I'm in Pittsville. Next week I can be in south Danville. As far as hauling at nighttime, I would have a tremendous investment I would have to make just in extra trailers. In my operation, I run in wood chip trailers that are designed to haul this product. And, you know, I depend on those trucks to come back during the day as we are merchandising out the logs and the pulp wood because this material is chipped simultaneously as the logs and pulp wood is merchandised off.”

Mrs. Dalton asked, “It's being generated all at one time? You don't pull the logs down and then go back and do the chipping?”

Mr. Shelton stated, “It's not something that's drug away. That's waste and so forth as far as double handling material. When it comes in, we have two machines sitting there. One is pretty much solely merchandizing the logs in the woods. The other is chunking the slash and the tops in the chipper.”

Mrs. Dalton responded, “Thank you very much.”

Mr. Byrd stated, “Let him tell you about the trailers. Tell them about your trailers.”

Mayor Burgess asked, “Do you have a question for him, too?”

Mrs. Dalton asked, “Tell us about your trucks.”

Mr. Shelton stated, “I have a picture here. You all can pass it around. It's an in woods chip trailer. It's specifically designed to go in the woods. It's built heavier. It's aluminum, but the engineering on it is designed to go off road.

Mrs. Dalton questioned, “To take that heavy duty without showing wear and tear?”

Mr. Shelton replied, “Yes.”

Mrs. Dalton stated, “Thank you. I think I'm done.”

Mr. Higginbotham stated, “You all are representing to us today that there's really no market for these chips and you all just assume leave them in the woods but the landowner insists it be cleared up. I don't think I buy that argument.”

Mayor Burgess stated, “I didn't hear anybody say that.”

Mr. Higginbotham stated, “I just heard somebody say it's just a break even deal. To me, if it's a break even deal, you leave the damn stuff in the woods.”

Mr. Eck stated, “We can clarify that.”

Mr. Snead stated, "I will answer that. As a landowner, the last tract of timber I sold was to a logger that didn't have a chipper. In order for me to reseed this land, I had to put a bulldozer in there and clear it. You know what that expense is."

Mr. Higginbotham asked, "You are clearing it and grubbing it?"

Mr. Snead stated, "I had to clear it, what was left. It was not chipped."

Mr. Higginbotham stated, "To reseed it and --"

Mr. Snead stated, "So we could reseed it in pine. I didn't clear it to grow crops. I had to do that just to replant pine. The landowners are onto that now. And if Chad Shelton doesn't chip, then ABC Logging down the road that does chip, he's going to buy that tract."

Mayor Burgess asked, "Chad, what did you want to say?"

Mr. Shelton stated, "My chipper is the absolute best investment I ever made in my business. That buys my timber. What he's referring to as far as cleaning the land up, the land owners want it clean so there's no site prep work. They call the Department of Forestry. They line up a planter. They come in and plant. A year and a half, two years later, they spray it. The trees are growing. A chipper will buy you timber period because the landowners like the aesthetics of it when it's through."

Mayor Burgess stated, "I like the looks of it better. Thank you, Chad."

Mr. Eck stated, "I think a point that was made there too, just for clarity, that the chipping doesn't drive the timing of day when things are being pulled out of the forest as they are identified."

Mr. Ferguson stated, "I would like to speak about spillage. Last Friday, I was going northbound on the 29 Bypass. There was a chip truck that come off of 43 and was going in the right direction and all that, but he didn't have anything on the back to prevent the spillage. There was no -- he didn't have boards sticking up there. It was just wide open. He was spilling stuff all over the place. I said; let me see if I can get his number. He didn't even have a badge on there. He didn't have any kind of sign on his truck at all. I don't know who it was. I would certainly like for you all to be able to do something to keep this from happening. One person suggested that you might even -- if somebody came in with a load that wasn't protected like that, that you would refuse to take it. To me, it doesn't look like it would be a huge thing to require these people to have spillageless trucks coming down here because it does cause a problem. This is one of the things I have heard from different people that are opposed to this because of that."

Mr. Eck mentioned, "I think we are going to have some people speak to that as far as spillage and debris."

Mr. Snead stated, "That's a violation of the Code 393.100(B) leaking, spilling, blowing, falling cargo. It's a severity under the CSA regulations now. They rate us from 1 to 10 on violations. That is a 10. If you get enough points -- and no one has hold us how many points it is -- then DOT will perform an audit. They can pull our operating authority."

Mayor Burgess asked, "Would the license number be sufficient?"

Mr. Snead said, "That would identify who owns the truck."

Mayor Burgess stated, "The reason I ask is one sent me an e-mail and said one dumped -- threw it all the way down the street the other night. He didn't have no wire in the back."

Mr. Snead stated, "It's a violation of the State Law."

Mrs. Dalton asked, "Mr. Mayor, why wouldn't our law enforcement, when they do see it,

stop the truck and cite him?"

Mayor Burgess stated, "They will."

Mrs. Dalton stated, "Then it's on record that everybody gets it. It seems to me as though that's the way to go about it rather than you and me taking down names and numbers. Then it's my word against somebody else's word. I'm not interested in being the police force. We have a fine one here. They can take care of that. I'm assuming that's the most --

Mr. Eck stated, "Councilwoman Dalton, I would like -- to your point, if I could echo or concur with that. I believe with your Town Ordinance right now 74-7; Section 74-7 of your Town Ordinance addresses this and has the consequences. I will just say they are pretty stout I would say and stringent in terms of the stipulations. The ordinance requires that they remove any spilled materials that constitute an obstruction, danger, or endanger travel on the road or damage a vehicle. Failure to comply with the ordinance could result in a vehicle's operator being charged with a Class 1 misdemeanor, which could result in a fine of up to 2,500 and/or one year in jail. So I would just echo that I believe the ordinance -- and this is a Town of Altavista Code of Ordinances that can be duly enforced to address this."

Mrs. Dalton said, "And plenty robust."

Mr. Ferguson said, "But if we nip this thing in the bud at the beginning and you wouldn't even accept trucks that weren't properly built to keep this spillage, we wouldn't have to worry about that in the first place."

Mr. Higginbotham stated, "I think we have two issues. Some of these loggers can address this. You have basically an inherent problem with the chip trailers. This photograph here basically shows it blocked up. Most of them will take a normal trailer and cut the doors in half or fabricate their own half door on the back. The air blowing through just tends to blow a few chips out as you go down the road. I think that's an inherent problem that we are going to have with chips coming through town. Not spilling piles of chips. I don't think that happens. Although somebody said they did see some on a ramp. But normally I think it's just maybe a bushel of chips that blows out of the truck. It's the wind blowing across the top of chips and blows some of them out as they go down the road. They hit your windshield if you drive behind them."

Mr. Mattox said, "Jay, I hear what you are saying. I have seen some trailers come through town that have this grate on the back fully sealed and that would take care of that problem. And no disrespect, but our police officers really don't need to be the chip police. For our guys to be over here spending 30, 45 minutes writing a citation when we are having hundreds of trucks coming through town, that's a lot for us to have to do when you can easily say it's a requirement to deliver to Dominion that tease trailers are sealed up properly where they don't cause spillage or dust or chips falling up and down our Main Street. Is that reasonable?"

Mr. Eck said, "I think there are two aspects to this that I heard. One of them is just safety and compliance with code. And the other is miscellaneous debris. I think from an enforcement standpoint, we absolutely concur with the Code that's been written by the Town. And then if we are talking about debris and an issue of debris, I think we -- that's something we can talk about here today when we get to talk about debris. Or if there were street cleaning considerations that one of you want to talk about when we get to the actual specific conditions of the SUP. We have talked about in the past that --

Mr. Higginbotham asked, "That's a good point. Out of the 100, 150 trailers that you get a day in Hurt, how many of those actually have like a wire mesh totally across the back of the trailer?"

Mr. Byrd stated, "Ninety-nine percent."

Mr. Eck said, "The answer there was, just for the record, 99 percent is what Mr. Roy Byrd was saying."

Mr. Higginbotham said, "You are saying that out of a hundred trucks, 99 of them have doors that completely cover the entire back?"

Mr. Byrd asked, "You said cover the entire back?"

Mr. Higginbotham replied, "Yes."

Mr. Byrd said, "The chip trailers are mainly just like the one you see here. The saw mill trailers are the ones that have the closed doors. Sometimes you will see the door closed and you will see a round hole in it. That's sawdust. At the mill, they back that trailer into the blower and they blow the sawdust into it."

Mr. Eck said, "They do require a certain amount of opening for ventilation."

Mr. Mattox said, "I understand that. I see trucks with boards laid across the back to keep the chips in. They are not a door. They are just boards laid up on the back, the chips are laid up in there, and we have issue with that."

Mr. Eck said, "I hear what you are saying. We should address that. I would like to carry on about the traffic problem. I want to get back to what we were originally talking about."

Mayor Burgess said, "That will be tomorrow."

Mr. Mattox stated, "Mr. Eck, your number of trucks coming in to town is a 30-day rolling average. That's not a realistic number of what we are going to have Monday through Friday, the busiest times of the day. Recently we did a car show, and we were concerned about chip trucks. So we closed Main Street. We got a letter back from the Hurt plant, a very nice letter, stating that they mainly run Monday through Friday and, if needed, on Saturday. I just did a little bit of math, and we are looking at about 214 trucks a day coming into Altavista, a working day Monday through Friday."

Mr. Higginbotham asked, "Is that one trip?"

Mr. Mattox said, "No. That's the truck coming in, so you can double that. Trips is going to be 428. And that does not include what the current trucks, the 60, which Roy talked about. So we are looking at somewhere in the neighborhood of trips -- help me if I'm wrong. If I'm wrong, I'm willing to listen. We are looking at 548 trips a day coming through our town."

Mayor Burgess said, "They won't be coming through town, Mike."

Mr. Eck said, "Mr. Mattox, I think the core of what your question is in regards to -- and there have been multiple topics here we are talking about. Just to isolate on a core issue of the safety issue on trucks on the road, I would like to bring forward Paul."

Mayor Burgess said, "Tell us who you are."

Mr. Anderson said, "I'm Paul Anderson. I'm with AECOM. I'm a professional transportation engineer. I've spent my career doing these kinds of traffic analyses and reviewing them for VDOT, this kind of thing."

Mr. Eck said, "This was at the request of Council that we did an independent traffic study. I'm going to let Paul address the issue of safety."

Mr. Mattox asked, "Before you start, sir, how many days did you sample?"

Mr. Anderson said, "We did one day of sampling."

Mr. Mattox asked, "Is that the VDOT requirement to do one day of sampling for a traffic study?"

Mr. Anderson said, "Yes. It's typically one average weekday. We did -- it was in March. I think it was the 17th."

Mr. Mattox said, "March 17th."

Mr. Anderson said, "Generally we try to shy away from Mondays and Fridays and usually hit Tuesdays through Thursdays are the days we typically try to count. We pick that up at a time when there's not holidays and festivals, those kinds of things."

Mr. Mattox asked, "Is that a normal day?"

Mr. Eck said, "It was. We verified, Mr. Mattox, Councilman Mattox, was that a normal day for Pittsylvania power plant. We wanted to ensure that. Yes, that was a normal load day for Pittsylvania."

Mr. Mattox said, "You are basing all of your traffic studies on one day of sampling on North Main Street?"

Mr. Anderson said, "That is correct. Just to the issue of safety, we did not perform a specific safety study along that way. That is typically not required for traffic impact studies. Those can be done, but I would venture in the Town of Altavista that all the spots that are traffic high crash areas are well known. That was not listed anywhere in the transportation plans or any of the other published documents as a crash location. It was outside the scope of a typical traffic impact analysis. We have not done that. I would say that if you were having a lot of problems there, that would well be identified. But certainly our experience is that when there are trouble spots, we know about them and we would dig and do that type of study. I think the questions here are more about the traffic that's coming rather than the traffic that's here. The one comment I would say about all this is if you put 125 trucks in one place at one time, in my mind if you are trying to put that as what you envision in your head, that's a huge thing and a big deal. I think everybody would be like that's huge and we have to do something major. When you spread that out over 10 hours of the day and split it in two directions and get down to an average of five in an hour kind of thing, it's more manageable. You will be sitting -- if you were sitting to watch that, that's one truck every 10 minutes or so going in one direction. Trying to scale that back into how it really plays out and when it is spread across the day I think is what the focus is."

Mr. Mattox said, "That's my, question, sir. Help me, 60 current trucks. We decided that's correct. If you look at --

Ms. Dalton said, "Sixty trucks where and when?"

Mr. Mattox said, "Sixty trucks a day are going through Altavista."

Mr. Higginbotham said, "Going to Hurt."

Ms. Dalton said, "Coming up north and turning up Pittsylvania."

Mr. Coleman questioned, "Is that 60 coming back?"

Mr. Mattox said, "Yes. They have to go back where they came from. Based on 150 trucks a day --

Ms. Dalton said, "Trips."

Mr. Mattox said, "No, this is trucks. This is 150 additional trucks coming into the town a day, running Monday --

Ms. Dalton said, "He's predicting 125."

Mr. Anderson said, "One hundred twenty-five was the number. And that is a number that

Dominion supplied us as to what they expected."

Mr. Mattox stated, "I'm willing to knock that to 80 percent, so let's go ahead and say that's, just round numbers, 160 trucks a day coming in. So we are looking at 220 trucks coming in, the new and the old, coming into Altavista. That's 220 trucks, but that's 440 trips."

Mr. Higginbotham stated, "Its 180 trucks."

Mrs. Dalton stated, "One hundred twenty-five plus 60 is 185."

Mayor Burgess stated, "Let's don't fall out over that."

Mrs. Dalton stated, "Let's get it right."

Mr. Mattox said, "It's 80 percent of 214."

Mrs. Dalton asked, "Where is 214?"

Mr. Mattox said, "He said there were 125. I figured 150."

Mr. Anderson stated, "Our analysis was based on the number of trucks they told us."

Mr. Avram stated, "Mr. Mattox, I think I understand what you are getting at. You are looking at the trucks that are coming south on Main Street to Pittsylvania today. If that were to continue, those 60 trucks plus the additional trucks coming into the newly converted Altavista power station, right, which would be –

Mr. Mattox stated, "Two hundred and fourteen trucks."

Mr. Avram stated, "Not all of them would come from one direction. It would be split. It might be 50/50 from the north or the south. If we have this natural segregation, it might be zero coming from the south on many days if the pricing is equivalent."

Mrs. Dalton stated, "You also pledged to restrict it to 50."

Mr. Avram asked, "So when you are talking about what's coming north on Pittsylvania through Main Street, you are talking about as many as 50. Plus those 60 that are coming back, right, so it's 110 trucks."

Mrs. Dalton stated, "Up and down Main."

Mr. Avram stated, "Which would be 220 trips. Did I get the math right?"

Mr. Mattox mentioned, "You did a very good job. That's specifically on Main Street in that area right there."

Mr. Higginbotham stated, "That's really Pittsylvania Avenue."

Mrs. Dalton stated, "Going and coming."

Mr. Mattox stated, "We are going to have 220 trips a day going up and down over a 12-hour period. How early do you all deliver? A 10-hour period?"

Mr. Avram stated, "It's about a 12-hour period, from seven to seven."

Mr. Mattox said, "So doing the math, 220 divided by 12."

Mr. Avram said, "About 18 an hour."

Mr. Mattox stated, "So that's a truck every five minutes. It's less than that. A truck every three minutes that's going to be passing one direction or the other."

Mr. Avram stated, "That's the worst case scenario."

Mr. Mattox responded, "Yes, sir."

Mr. Avram stated, "Under the best case scenario, there would be none."

Mr. Mattox stated, "I understand that. Believe me --

Mr. Avram stated, "So we are going to be pushing it towards that lower limit as much as we can."

Mr. Mattox, stated, "That's my goal. That's the reason if you look on the green sheet, the natural segregation between the north and the south, we really -- we really don't want the trucks on Main Street, but we understand that under certain conditions that it's necessary. You may be in a shutdown; you made need to move stuff up. Would it be reasonable to ask you to keep the trucks segregated unless there were circumstances beyond your control and you would notify the Town Manager and say, look for a duration of two weeks, we are going to have to run these trucks. My suggestion the word "shall," the Town Manager shall allow you, but as a general rule, probably 85 to 90 percent of the time Monday through Friday, six a.m. to six p.m. there are no trucks."

Mr. Avram said, "We have done a number of things. We have committed to work with the haulers and suppliers to encourage that natural segregation to occur. We committed to that in a letter that we sent to you all a couple of weeks ago. We are committed to do that. We are going to work with all our haulers and suppliers to make sure that happens.

When both plants are operating at full load and no extreme weather conditions or road issues on either side of the two power stations, that natural occurrence is expected to occur. And we are going to make sure that we work with everyone to make that happen. We can't guarantee it. That's the issue."

Mr. Mattox said, "We are willing to allow it as long as you tell us it's a temporary situation."

Mr. Eck stated, "Councilman Mattox, if I can address your question, as we proceed forward with this application that you are considering and then we take this forward to the State Corporation Commission for consideration, we have to show we are going to have a facility that will be viable, that will operate, and have a fuel supply and be able to perform and deliver the low cost energy to our customers. We have in our evidence here that VDOT has looked at the traffic with a traffic study and that the roads support this. We made some commitments. I have a copy of them here. I will pass them out. Additional commitments on what we are going to do to accomplish this. We independently at your request also through AECOM did an additional traffic study that shows that there is not a significant concern regarding the truck traffic and the overall traffic through Altavista. Just for clarity, we actually didn't just start with the existing traffic when we talk about the actual counts. We actually escalated that and lifted that from a conservative basis and increased the overall traffic to show a high level of growth in terms of traffic counts and I will call it stress tested the traffic study you read from AECOM. What we will see here is we will see a growth of an additional one percent in the overall traffic population that will run through the town. So for us to be able to go to the State Corporation Commission and say we have an adequate means to deliver fuel, to ask the State Corporation Commission and our customers to fund this plant while we have conditions that might prohibit us from being able to get the fuel to the plant is something that -- it's tenuous. We can do the things that we committed to do. We feel the SUP would typically be focused on the land use and typically we focus on the protection of public safety and health. Those are aspects, if you look at what we have done throughout the application process, we feel like we really hit a lot of those head on. Then we volunteered some additional things even though the VDOT traffic study will not say -- the assessment or the AECOM assessment say they are necessary. We actually put conditions in that were not typical or required by statute to be in an SUP, in a Special Use Permit. We have inserted some of those things in here beyond just typical land rights that are addressed. For us to then have requirements or restrictions that



are not from VDOT or from the AECOM traffic study that are not warranted restrictions from a traffic analysis would be something that would be difficult to say that it was done from the viability of this plant was going to operate when we go to the State Corporation Commission. The question would be why are we having these restrictions when they are not justified in the traffic study. We are willing to do –

Mr. Mattox stated, “Mr. Eck, I just have one more question on this. Mr. Eck, we have an agreement in 2007 about keeping the trucks off of Lynch Mill and Clarion. We have documentation where it's not been abided by. What assurances can you give us or what enforcement mechanisms would you -- I suggested a penalty for everyone that was documented. We have no teeth in this. We have no reason -- no way to make sure that you -- one of my favorite words you used last time was speculation. This is purely speculation on our part that you are going to do this. What guarantees can you give us that these trucks will be running on the agreed upon routes?”

Mr. Eck state, “Councilman Mattox, I appreciate the question. Let me start by addressing the concern about speculation. Specifically where I was referring to speculation we were talking about speculations on alternate routes. What we want to do as far as alternate routes is absolutely commit to work with you. We will provide our own resources; provide any third-party resources. You can hold us to perform those studies. We can start Those alternative route studies now. We could evaluate that in good faith, what is reasonable and prudent and justified to you, to us, to the State Corporation Commission. Those are things we can start looking at now. I just want to clarify that when we talk about speculation, those routes –

Mr. Mattox stated, “Let me get to this –

Mr. Higginbotham stated, “That's an important point that I want to get to, but you all continue.”

Mr. Mattox asked, “My question is this: What enforcement mechanism do we have –

Mayor Burgess, “Can I maybe –

Mr. Mattox stated, “No, sir.”

Mayor Burgess replied, “I will answer this one. Senator Stanley said the other night he was willing and was going to introduce legislation where we would have some teeth on that. That's what he said. Did I misunderstand that? He said he was going to try.

Mr. Mattox stated, “Sometimes I play cards and there was a young man that said you don't bet on if in cards. Help me out, Mr. Eck.

Mr. Eck stated, “Mr. Mattox, I will help you out to the best of my ability. When you talk about what is the confidence that we can provide to the Council in this consideration, I think it starts by looking at the facts. We talked about it when we looked at our 2010 violation data -- I want to be clear because I'm grounded in facts here and I ask you to consider it in that matter. When you look at our 2010 violation data regarding stipulations, regarding roads and road use, which is what you are really getting at, we had 469 deliveries. We had 25 violations. So that's a .09 percent violation rate. We went ahead in anticipation for this meeting and said how are we doing today, how are we doing this year? Fair question. To me performance is the evidence you are looking for. Our performance year to date, because we had seven violations out of 8,432 loads, that's .08 percent violation. We had a .09 previously in 2010. We have .08 so far this year. I would ask the Council to consider that that is the best proof that we are communicating to the loggers, we are communicating out through the process, and we are getting compliance. Let me just walk you through the process, if I can. The process that we have -- first of all, all of our trucks are numbered. They have a number. They are not going to deliver to Altavista or Pittsylvania unless they have a tag on the back with our number. We communicate that. We worked through with the Town Council that tag, which has a number. So then we receive a complaint, time and date and concern where this was on a road that would have been a violation of the letter

agreement to your point -- or let's take it forward and say a violation of this SUP with these conditions, we are going to check that time and date and that number on that truck. We are going to contact the supplier. First we start with a reprimand for the first offense. Then if there's a multiple offence, the truck driver is removed. And our supplier, we have a tracking system for our supplier/driver performance for compliance. I will go back to say those are things we are going to do because we believe safety first. I mentioned that before to you. We are in the community. We have people at work in the community. We have people that live in the community. I also ask that you consider the performance that you are seeing right now in terms of violations."

Mr. Mattox stated, "Mr. Eck, who reports those violations, do you know?"

Mr. Eck asked, "Who puts the calls in?"

Mr. Mattox responded, "Yes, sir. Well, I know. Those violations are reported by angry citizens who are able to get to a piece of paper and write down the truck number or know to write down the truck number or if we ask one of our police officers to sit on those routes and write down the numbers. That is not a valid representation of what's going on. On the other hand, I will say that what you just told me before I think is a valid -- I mean if you give him one chance and a second time he's gone, that's what I'm looking for. I want to see -- but again, to get those violations to you, we are going to have to sit our officers out there or notify our private citizens to be chip truck enforcers."

Mr. Eck stated, "I will just go back to the fact that the complaints can come from private citizens, they can come from various mechanisms."

Mr. Mattox stated, "I know they can, and they do."

Mr. Eck stated, "As part of when they come in, they get registered with Roy, they get a tag, they get the instructions, they get guidance. I just ask that you consider the performance and the performance that -- the data is what we have. It's the number of violations that are presented. That's what we can deal with is those facts."

Mr. Mattox stated, "Please take that in context of the violations. Mr. Mayor, I'm finished with this issue."

Mayor Burgess asked, "You got anything, Ronnie?"

Mr. Coleman replied, "No."

Mayor Burgess responded, "I'm satisfied."

Mr. Higginbotham asked, "Through with what issue though?"

Mayor Burgess stated, "This No. 1."

Mr. Higginbotham stated, "Mr. Eck, you all have offered jointly to explore other alternatives. I think we have got to do that because -- I mean, you listen to everybody speak and it's all about minimizing the truck impact on this community, truck traffic impact. That's my question. How are we going to structure this to where it's real -- it's not just window watching. It's a viable realistic look at alternate routes. You know, the alternate routes, we talked about Clarion Road. We talked about 7th Street. We talked about getting behind Lane Company. We talked about using the old coal tippie. So we got to have some, you know, we have to have a realistic program. My question would be: How much is Dominion willing to contribute to -- not the engineering costs, but the actual construction costs to get to this route that satisfies us? You all have got some great things going for you. In my mind, it comes back to recycling. I like seeing truckers use these old trailers. It would be nice if they put -- if all of them would put the saw mill screens on the back, I personally don't expect that. You are cleaning up branches that otherwise I would just rot in the woods or somebody would cut them up for firewood. We are using wood to generate electricity instead of coal or oil. There are a lot of great things going on here, but we have got to address a realistic viable committee. And

then my question to you is when you do that, you have got to put a number to it. What is X? I think we brought that up earlier.”

Mr. Eck stated, “We have.”

Mr. Higginbotham stated “That's my first question.”

Mr. Eck stated, “Let me address that first off. Regarding the committee itself, I think I look to, ask from the Council to commission a committee to include Dominion, include VDOT, include Council representation, and commission it with bylaws and obligations to have deliverables and have time frames to evaluate alternate routes. I actually believe in terms of evaluations of these routes, some of these that you mentioned, I want you to know we actually contacted some of these property owners. We actually started exploring that in terms of alternate routes. We made those contacts. We have actually driven some of those routes. We have driven some of them previously. We can talk about those in detail here, but we have actually begun our assessments. In some cases, we have assessed what type of road enhancements would be needed. We are ready to go forward with that committee effort. To your question in addition to our resources that we have already been committing and our additional resources that we will continue to commit, how much money are we willing to put in this? This gets to the point that is we need to look at reasonable standard, reasonable prudence that I mentioned before that as we present things for our customers to pay for that it has to be reasonable and prudent and in the public interests. So for us to put a number out not knowing a route is something that would be unknown, wouldn't be reasonable for us to proffer a number without knowing what routes are going to be the most viable.”

Mr. Higginbotham stated, “We are under a time constraint that we aren't going to be able to -- we don't know if it's going to cost five million dollars, eight million, three million. We don't know what the cost would be to come up with this improvement to the alternate route. We don't know what Senator Stanley can put on the table with tobacco money or whatever. We recognize that we have to make a decision for you next week to get on with the program. But, you know, in the back of your mind, you're saying Dominion is willing to contribute \$10,000 and I'm thinking something totally different, then we're –

Mr. Eck stated, “We really have to evaluate that, if I can respond. At the point that we are evaluating the routes and are they prudent and reasonable, do they meet the standards that are required. If I just cite for us to do otherwise would be questioned by the State Corporation Commission as far as asking for our customers to reimburse it. I think if you also look at some of the court rulings in this, just to cite and go to the citations here that I'm sure your attorney is familiar with, the Town Attorney. You look at Cup versus the Board of Supervisors; the Virginia Supreme Court stated that an authority doesn't have the -- cannot impose conditions in a Special Use Permit to require dedications of land for roads or payments for road construction when the need for such facilities is not substantially generated by the proposed development. So there's a standard out there that this would be assessed against. What standard is that standard? I'm talking from a legal standpoint. And then also we have to make sure this is reasonable and prudent and in the interests of our customers. For me to stand here and –

Mr. Higginbotham stated, “Your customers are electric bills. Our customers are –

Mr. Eck said, “Including the Town of Altavista.”

Mr. Higginbotham stated, “The Town of Altavista citizens, those are our customers that we are trying to look out for.”

Mr. Mattox stated, “Jay, the issue is to reach that threshold, we need more time to conduct a study. You don't have time for us to conduct a study.”

Mr. Eck stated, “We actually do have time to conduct a study. We need you to decide on the Special Use Permit, but this plant will come online in 2013. I would ask you, as we have looked at what has happened, if you go back to the commitments, you asked for

consideration regarding the Main Street/Pittsylvania interchange. You asked us to engage. We engaged. We engaged with government officials and VDOT. We did that at your request. So that is on record, as Senator Stanley presented, something that's going to be happening.”

Mr. Higginbotham stated, “That's something this Council actually voted six months ago to prioritize that intersection. It had nothing to do with Dominion Power. Go ahead.”

Mayor Burgess stated, “They put it in the six year-plan.”

Mr. Higginbotham stated, “It's in the program to get that intersection upgraded. Go ahead. I didn't mean to interrupt you.”

Mrs. Dalton stated, “Dominion’s influence, in all fairness, probably did move it up if, in fact, that's happened.”

Mr. Higginbotham stated, “Go ahead.”

Mr. Eck stated, “So I believe we are making efforts. I ask that you look at the commitments that we made and the facts in front of you. Do you believe that Dominion, from an ethical standpoint, is going to stand here and continue to commit resources, whether it be the studies we have done, the analysis we have done, working with VDOT, working on considerations, we will look at those options. We actually engaged a lot of those options.”

Mr. Higginbotham stated, “Let me tell you what bothers me. Out of all these things that are good, you all have almost categorically said you are not going to consider the coal tipples as a site to put chips. If you did that, that would eliminate this traffic. If we could get trucks across the river and then turn and go up that side of the tracks, the river side of the tracks to that coal tipples, and then belt them over the tracks like you are belting the coal over, that would go a long ways towards splitting the truck traffic to that plant in half. It will allow you to bring it from the other side if necessary.”

Mr. Eck stated, “Let me just specifically address that. I think that's a great example of how we are looking at different options. That location would not be an adequate fuel supply to keep a reliable fuel supply. So we wound up having to have multiple fuel –

Mr. Higginbotham stated, “You have to have two, one on each side of the tracks.”

Mr. Eck stated, “Additional conveyers, additional cost in fuel handling. Then you would have additional tippers. You would have those costs. All of that is increased cost from a reasonableness standpoint that we need to have a threshold and say is that reasonable and prudent for our customers if there's another viable alternative.”

Mayor Burgess stated, “That still wouldn't solve the problem, Jay, with trucks coming on the north end of town. You would only be getting in what comes across the river now. You hope to stop most of that now if you can.”

Mr. Higginbotham asked, “Why is that not feasible?”

Mr. Eck stated, “To have two fuel piles and have all of the additional costs –

Mr. Higginbotham stated, “Let me say to have two unloading sites. Let's not say two fuel piles.”

Mr. Eck stated, “It's going to be significant amount of additional cost.”

Mr. Higginbotham asked, “What is that additional cost?”

Mr. Eck stated, “Which would potentially not make –

Mr. Higginbotham asked, "Do you all have a ballpark figure? Have you looked at it? What's a ballpark figure for doing that?"

Mr. Eck stated, "It would be incremental costs that wouldn't be warranted in terms of the reasonableness and prudence that we have to demonstrate."

Mr. Higginbotham stated, "I'm just asking you to put a rough dollar figure on putting a second tipper."

Mr. Eck stated, "And another fuel pile."

Mr. Higginbotham stated, "The fuel pile is only the amount to be able to belt it across to your other fuel pile."

Mr. Avram stated, "If you look at the cost of the conversion we are looking at, it's expected to be under 50 million dollars. To add mostly conveyers, truck scales, truck unloading systems, very little is done inside the power boiler except for a few minor modifications. If you assume that 80 to 90 percent of the cost is going into the new fuel yard, then we would have to put in a second set of truck scales, essentially duplicate that, we would duplicate the truck unloading systems, we would have maybe not duplicate conveyers, but almost."

Mr. Higginbotham stated, "You have a conveyor system there. Whether it will convert to sawdust, I don't know the answer to that."

Mr. Avram stated, "We would have to tear that out and put in a new system. It's not going to be the same"

Mayor Burgess asked, "Can I ask one question?"

Mr. Higginbotham responded, "Let him finish."

Mr. Avram stated, "You are talking about adding anywhere from 10 to 35 million dollars on top of the additional 50. It's a very significant change."

Mr. Higginbotham stated, "I can appreciate that. That's what I was trying to get at. You saying the second dumping site –"

Mr. Avram stated, "I'm giving a wider range because we don't have an exact estimate. And you would have to upgrade the road going to that backside of the tracks on the east side. So there's quite a significant investment to be able to do that. The other issue is we don't have enough real estate, as I mentioned last week, to bring those trucks in, weigh them, unload them, and weigh them on the way out all around the pile. There's just not enough real estate there to make that happen. Even if we were to build two, there's still not enough room to bring the trucks in and out and weigh them."

Mayor Burgess stated, "I think I have the right to ask a question. If you put -- if I understand what you are saying, this road would only do the trucks that come and weigh -- not the trucks we are worried about now. All the trucks that come into town would still have to come in and go down. You are talking about 50 trucks, 60 trucks. Could you spend that type of money for that type of situation?"

Mr. Higginbotham stated, "That's all I was asking. Your point is -- we understand that. It's well taken."

Mayor Burgess asked, "Are you through with this topic, the traffic topic?"

Mr. Higginbotham responded, "Well, I still don't know how we get this committee set up that somehow has some teeth to where Dominion says well, in good faith, we were going to do something but it is just going to cost too much to do anything. I don't know how we -- I agree if it's going to cost 25 million to put a second tipper in, that's too much

expense. If it cost five million, I would say it's something we ought to consider. I don't guess we can answer that right now.”

Mrs. Dalton stated, “That's sort of what I was suggesting. What I was going to suggest to you, Jay, that a future committee is going to be as strong as a future committee is strong when the future comes. But I do think we have their word. We have it in writing. We are dedicated to it. I fully well expect it to happen. If not, we will have discussions about it.”

Mr. Higginbotham stated, “I have a couple more things. The ash, how much of the ash in Pittsylvania goes to Campbell County farmers? Can someone answer that?”

Mr. Snead stated, “My name is Cory Snead. I'm with Snead Trucking. I would say it varies depending on the demand, depending on the time of the year. You get into Campbell County, you have more grain farmers, which they want the ash in the fall and spring when there's no crops in the ground. I would say right now we probably have roughly three quarters going. Like I said, that's spring and fall. It will probably get under half. The rest would probably go south of the plant.”

Mr. Higginbotham questioned, “Some of it is going to Bedford County?”

Mr. Snead stated, “A small portion goes to Bedford County. But due to the distance, that's just not -- yes, it's a very small amount.”

Mr. Higginbotham asked, “What I would ask -- and this is maybe out of line, but I'm going to ask it anyway. Is there any way that we could in this stipulation put that Campbell County farmers would have a priority on the list so that if you have two people -- if the Campbell County farmer needed it in the spring and some other county farmer wanted it that it would go to that --

Mr. Snead, “Well, the way the contract that we currently have -- and, of course, I have no knowledge of what Dominion's going to do with the new plant, but Campbell County would naturally be the priority.”

Mr. Higginbotham questioned, “So it shouldn't be an issue?”

Mr. Snead replied, “Yes, sir. Really the way it is now --

Mr. Higginbotham asked, “I recognize if the demand is not there, it doesn't work. If we give them right of first refusal, any problem with that?”

Mayor Burgess asked, “You are prioritizing that, he said Campbell County --

Mr. Higginbotham stated, “The natural progression, but --

Mr. Snead stated, “I don't want to say we prioritize them simply because they are in Campbell County, but we do have a lot of large land owners that are willing to -- some farms you cannot get a truck in to. A tobacco farmer with 10 acres, you know, a tractor trailer load may not be able to come to the farm.

Mr. Higginbotham stated, “I understand you have criteria to meet. But if they meet the criteria --

Mr. Snead stated, “I would say right now, Campbell County they probably are prioritized.”

Mr. Higginbotham replied, “Thank you.”

Mr. Eck stated, “In terms of right of first refusal or preferencing, that's going to be a dynamic situation that's going to change over time based on where the demand is.”

Mr. Higginbotham asked, “If the demand is out there, if you have farmers begging for it, can the Campbell County farmer have a priority over a Bedford County farmer?”

Mr. Eck responded, "I think the economics is what we are looking at on that. I'm not trying to be difficult. I'm just saying I think the economics will do that. We have to be careful that we are not restricting someone from their right to try to acquire it or for us to deliver it to them. For us to restrict or show preference could be discriminatory."

Mr. Higginbotham asked, "Is that something you can look into and get back to us if you want to have Troutman Sanders answer that question for you if that is your concern?"

Mr. Eck stated, "I think we can tell you that we think the routes that it's currently supporting, the destinations it's currently supporting, that's how we will operate."

Mr. Higginbotham stated, "Let me ask you we briefly spoke last time about an issue the town has a need for steam, a possible need for steam at our sewage treatment plant."

Mr. Eck acknowledged, "Yes."

Mr. Higginbotham asked, "It's a possible solution to destroying PCBs down there with a heat source. My question is: Is that something that you all could proffer to give us steam to address that issue down there once the plant came online?"

Mr. Eck stated, "The question is regarding the delivery of steam -- I will break it into two points."

Mr. Higginbotham replied, "The steam line is there."

Mr. Eck stated, "We can evaluate with you what the steam demand will be, what steam availability will be, and what it would take to deliver that steam to that use, make sure it's going to be compatible to your need. We would clearly have to make sure just for clarity that the customer would not be subsidizing that in their rates. So we can evaluate that. We can see if that's a low cost option in terms of that steam delivery. It could be in tandem as we talked about in our commitment. We actually have already engaged with other businesses to look to attract steam hosts. It could be that we would look at the overall steam consumption of a perspective steam host together with your steam needs. It could be a very attractive rate. But in terms of being able to have a structure where the customer would be paying -- subsidizing that --

Mr. Higginbotham stated, "You have surplus steam that you bleed off the plant."

Mr. Avram replied, "No."

Mr. Eck stated, "For the record, the answer was no."

Mr. Higginbotham responded, "I heard it three times."

Mayor Burgess stated, "That it, Jay? I think we understand they will provide the steam. We might have to pay for it. The steam is available."

Mr. Eck stated, "We will evaluate that."

Mr. Higginbotham stated, "My last question. The Town of Altavista spends about \$540,000 in electric costs. Is this plant going to do anything to reduce our bill to Dominion Power?"

Mr. Eck stated, "There are a lot of things that go into the bill, Dominion Power's bills. Let me answer the question globally. All of our generation sources are combined into our overall costs and our overall rate structure. Let me just clearly tell you to the effect that this plant being low cost energy is actually going to be lower than if this plant is not restarted. That means we will have to find some additional market purchases. I will say for all of Dominion Virginia Power's rate payers, but for this plant being built, which will provide customer benefits, customer benefits including benefits to Altavista,

the alternative is we would have to purchase more from the market, which as we evaluated over the life of this plant would be higher. That is aggregated to all of our rates.

Mr. Higginbotham asked, "What you are saying is there's really not going to be any specific benefit to the locality –

Mr. Eck replied, "What I was –

Mr. Higginbotham stated, "-- just a general benefit to all Dominion customers."

Mr. Eck stated, "What I would say is the Town of Altavista will benefit just as all of Dominion's customers will benefit in that this plant being built as part of the overall portfolio would be a lower cost portfolio with Altavista's conversion being done than if Altavista's conversion is not done. Then we have to purchase more from the market. So the town will benefit just like all our customers in relationship to the overall portfolio in the consumption of the town."

Mayor Burgess asked, "Anything else, Jay?"

Mr. Higginbotham responded, "No."

Mayor Burgess stated, "Charles, we have already pretty well covered this first thing. We are going to move on to chip storage."

Mr. Mattox asked, "Charles, you have any questions?"

Mr. Edwards replied, "I don't guess so."

Mayor Burgess stated, "I don't see how we can go through much more. We covered it very well."

Mr. Coleman stated, "I have one. I have received a couple of e-mails about the traffic study. They were asking me were we doing a safety study. Would you differentiate between the two studies so I can explain it?"

Mr. Anderson responded, "The traffic study is looking at the operations, the delay that's caused by the vehicles out there, how much room there is to queue vehicles your green time and move there. Operations we call that. That is typically what we look at with a traffic impact study is how much worse traffic will get, how much more will the delay go up if we build this structure. A safety study looks back at the history of what's going on at a particular location in terms of crashes, to some extent you may have a chance to look at near misses if you observe and see things that would cause crashes or contribute to them such as poor sight distance, blind spots, obstructions, those kind of things, poor pavement, steep grades. Those things look at the physical characteristics of what's on the road and the characteristics of the kind of traffic that's coming in there. The primary way of doing a safety study is to dig up the records of crashes that are there, the severity, the types, and try to look at what caused those, what kind of mitigations or countermeasures

could you put in place to reduce those? Those are typically prompted by the police or by someone that's observed, man, we are doing a lot of ambulance calls to this location or the wreckers are saying I'm there every other week towing somebody out. A safety study is usually prompted by activities that are out there that are known that we see a lot more crashes here than we do elsewhere in our town. So the bar for a traffic impact study is usually that is not included in what you look at because of the development. That comes into play for other specific reasons. Its different tools we look at rather than traffic models. We start looking at crash histories and go out to physically look at the conditions of the site."

Mayor Burgess stated, "I think we are probably ready to go on to chip storage right now. Bill, I guess it would be a good place to start with you if you have any questions on chip storage. Bill or Mike?"



Mr. Mattox stated, "I would like for Staff to address their recommendations on screening."

Mr. Coggsdale asked, "Do you have copies of that item? After looking at it, I think there are some opportunities for Council to see if there's some other screening opportunities on site. Primarily in between the storage area and the plant itself, there's a portion of that parcel of land that maybe you could provide a berm or trees or a combination of the two to provide some buffer as you come in the northern most section."

Mr. Witt stated, "This is the existing site plan that was provided at the planning commission meeting and approved. I think this was part of your packet."

Mr. Coggsdale stated, "This is on the transmission substation side, south side of the storage pile."

Mrs. Dalton stated, "Tell me a little more about what I'm looking at."

Mr. Avram asked, "Do you want me to do it?"

Mr. Witt responded, "Yes."

Mr. Coggsdale stated, "The green."

Mrs. Dalton asked, "Am I looking at red lines?"

Mr. Arvam stated, "The two red lines in parallel to one another, that's the existing transmission easement and right-of-way to get the power out of the facility. Those are existing."

Mrs. Dalton questioned, "There's just lines?"

Mr. Avram stated, "There are lines in the middle running through the center line through that area."

Mr. Higginbotham stated, "That's the right-of-way of the easement."

Mrs. Dalton stated, "The infrastructure for delivery."

Mr. Witt stated, "There's an actual power line that runs right through the middle of it."

Mr. Avram stated, "Sends the power out to the grid."

Mr. Mattox asked, "What's the height of those lines?"

Mr. Avram responded, "I don't have the numbers. Typically a transmission line of that voltage is, you know, at least 30 to 40 feet in the air. The green area is what we are proposing. If you can see that right edge there where the green portion is, that's the edge of the property boundary we would end up owning. This is on the very southern end of the property. Right behind that, there are residences right there. So what we are proposing to do is to install berms where we can where it's wide enough. The constraint that we have is underneath the transmission lines, we cannot install something very tall. We have to maintain a minimum distance depending on the voltage level and so forth. There are rules regulated by FERC for reliability reasons. So in that green area, we are proposing to install a berm plus screening trees of appropriate species and heights and so forth."

Mr. Higginbotham stated, "Right now, you have 10 to 12 foot high trees on a five to six foot berm and maybe a berm height of five feet, 10 feet. There's a part of it that's 15. I mean we have a hundred-foot pile of sawdust, and we have a 10-foot berm with a 10-foot tree. It seems like we can do a little better than that."

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Mrs. Dalton questioned, "Jay, what are you going to do with the width? You are the engineer."

Mr. Higginbotham stated, "It's their power line right-of-way. If anybody can move a VEPCO right-of-way, you all can do that."

Mr. Avram stated, "Let me correct one thing. We can put taller trees than 10-foot high outside of the easement in the green area. So we can do that."

Mr. Higginbotham stated, "I don't know if that's the visible spot. There's some areas we want to screen as best we can. Obviously from 29 looking down towards the plant, I assume this is on the south."

Mrs. Dalton stated, "This is the south side where houses are."

Mayor Burgess stated, "They already have a substation in their yard there right on Main Street."

Mr. Higginbotham stated, "But they don't have a hundred-foot pile of sawdust."

Mrs. Dalton stated, "Let him finish. Is there more berm/tree visual, opaque fence that you have not described?"

Mr. Avram stated, "Yes. Along the pink line there, you can see right there, we are committed to install trees and fencing that are appropriate height limitations."

Mrs. Dalton stated, "Show me where Main Street is."

Mr. Avram stated, "Main Street is running along this way."

Mrs. Dalton stated, "So we are on the south and backside, if you will, south side."

Mr. Avram stated, "Twenty-nine is here, 29 Business/Main Street, and you come into the plant right here and you turn left to go into the power station right here."

Mrs. Dalton asked, "What can you do on the Main Street side, anything?"

Mr. Coggsdale stated, "This is what Staff would propose that you create some screening as defined in the green area and the dashed lines provide some screening from Route 29."

Mrs. Dalton questioned, "Where is 29 now, where is Main Street now?"

Mr. Avram responded, "Now it's here."

Mrs. Dalton asked, "So now Staff is proposing additional screening. How do you feel about that?"

Mr. Avram stated, "Well, we are certainly committed to provide the appropriate screening that's available to us given the land that's available. We are willing to do that."

Mrs. Dalton asked, "If you have the property to do it –

Mr. Avram responded, "If we have the property to do it with, we will do it. One issue is here, as you know, the land from Main Street, it slopes downward this way towards the river. And this area here is probably already 30 feet below the Main Street level, maybe a little bit less in that order of magnitude. If you put some trees here –

Mrs. Dalton stated, "You are in such low elevation, you have to go way up to make it effective."

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Mr. Avram responded, "Right. We are not sure that would be as effective as other locations."

Mrs. Dalton stated, "If you are going to put it there, nobody is going to see it anyway, why bother, agreed?"

Mr. Avram stated, "You don't see the tops of the trees."

Mrs. Dalton stated, "So you are committed to try to shield it visually as much as you can?"

Mr. Avram responded, "As much as we can and it's reasonable with the screening and the land that's available. The other thing too is we don't know exactly -- again, we mentioned last week the final design, how the pile exactly is going to be configured, how much real estate will be available to us."

Mrs. Dalton stated, "We have another topic for the committee as we go forward."

Mr. Avram responded, "Sure."

Mayor Burgess stated, "Approximately a hundred foot high is what it should be?"

Mr. Avram said, "Sorry."

Mayor Burgess questioned, "Approximately a hundred feet?"

Mr. Avram responded, "Maximum, yes."

Mr. Higginbotham stated, "The equipment can be 125 feet high."

Mr. Avram responded, "One hundred fifty."

Mayor Burgess stated, "Those lines come down through Frazier field."

Mrs. Dalton stated, "We are not going to block it but so much. You can hope that as you get closer to it, the shielding would be sufficient so that if you are right up on it you are seeing less of it. You are going to see the plant. The forefathers put that plant there, folks."

Mr. Higginbotham asked, "Does the equipment have to be 150 feet, 50 feet over the top of the pile?"

Mr. Avram stated, "That's the maximum height of the equipment over the pile."

Mr. Higginbotham stated, "I understand that. Does it have to be that high?"

Mr. Avram responded, "It may be."

Mr. Higginbotham stated, "You all ought to know."

Mr. Eck stated, "Based on our preliminary designs, we need that level. We have done preliminary engineering work."

Mr. Higginbotham asked, "Can you all dig down, can you lower the pile down another 10, 20 feet?"

Mr. Avram stated, "We looked at that. Actually, it's getting close to the river. The water table is pretty high at that location. We are going to be limited on the amount of excavation that can be done."

Mr. Higginbotham asked, "Are you all going to pour a concrete slab under this pile?"

Mr. Avram responded, "No, I don't think that's our plan. Again, it's still to be seen. We typically would not do that.

Mayor Burgess stated, "I think you are in the hundred foot floodplain anyway. I think you are right at the railroad. I know when you brought the coal pile, it was a hundred foot."

Mr. Edwards stated, "The railroad is a whole lot higher than the flood plain."

Mayor Burgess said, "I'm saying the land they bought on the other side of the railroad and that land –

Mr. Avram stated, "This area here. This is still outside of the hundred year flood plain. If we excavate it down, the issue is the water table. When you get water to come up and mix with that wood, it's not going to be a good thing."

Mr. Higginbotham stated, "They make under drains, right? You can design under drains. This is something we have to look at. You all are going to be gone, and we are going to be sitting here and looking at it every day when we go down. You could lower it 20 feet and pour a concrete slab with under drains to get the water away from it."

Mr. Avram stated, "It comes into the design, the costs. There's also a reclamation system to reclaim it from underneath the pile. There's going to be some excavation required to put that equipment in."

Mr. Faison stated, "That's a good point. We are looking to install an underground feed system under this pile so we don't have to do any dozing like we do across the river. It will be feeding out from underneath the pile. That equipment will be down in the ground 20 to 30 feet. If you take the pile and come to 30, now we are talking the bottom of the river will be above us. We are limited as Emil mentioned. It's not just a pile of wood sitting on there. There's some machinery on it. That limits us."

Mr. Higginbotham questioned, "Is that asking too much for you to give us a detail on that? You all have to have a conceptual plan showing how deep the -- just a cross section showing the –

Mr. Avram stated, "What we have is right now at this point, we have the elevation view which you have a drawing of from the package last week showing it from the side. Again, this is a very preliminary design. So a lot of the details haven't been completed yet. In fact, as we talk, the engineering, procurement, and construction contract would not be issued until after these next two weeks or so."

Mr. Higginbotham asked, "Is that something we should put in the Special Use Permit that you will use the maximum engineering capability to minimize the height of this pile?"

Mr. Avram stated, "I think what's appropriate is to put in the best available and reasonable screening that we can offer."

Mr. Mattox stated, "I have a question. There are trees that grow a hundred feet. Do you have a hundred foot right-of-way where we can put -- there is a type of Cypress, green giants? You can see them up on 43. I think you would agree to that."

Mr. Avram stated, "If we have the real estate, we are willing to look at that."

Mr. Higginbotham questioned, "Have you all looked at acquiring real estate from those property owners that are making it jagged now? Just go back to that slide."

Mayor Burgess stated, "I think they said they sold the land. Dollar General is going down there and somebody else."

Mr. Mattox questioned, "Are you confident that you can screen the majority of the pile

from 29 coming in? These trees honestly grow a hundred foot in height. Are you familiar with them, Dan?"

Mr. Witt stated, "I have seen the ones on 43.

Mr. Avram stated, "I'm not an expert on trees. We will do our best to screen as much as we can with the real estate we have and the appropriate heights."

Mr. Higginbotham stated, "My question is: Are you looking at acquiring more real estate so we are not limited to a five-foot berm outside that power line?"

Mr. Avram stated, "We are not acquiring any other real estate other than what we need for this."

Mr. Eck stated, "Again, we feel that's a reasonable and prudent footprint to operate this plant in. We will consider if there's other vegetation alternatives."

Mr. Avram stated, "We will work with you."

Mr. Higginbotham stated, "You see where you have CL and then M2 at CL and then come down?"

Mr. Avram stated, "This here."

Mr. Higginbotham stated, "Those are the property owners right now that are restricting what you can do. Have you looked at buying a slice off those properties?"

Mr. Avram stated, "Yes. We are looking to -- you know that green area on the other map, there is a property owner that has some open lots for sale that are available. We are looking -- so we can expand the berm because the width of that green area limits how much height you can make the berm, so we are looking at that. That's the only other option we have looked at at that point."

Mr. Eck stated, "Let me offer one other thing as well. Regarding the depth level here that we talked about and the fact our property is fairly low, one of the other considerations -- and I will not speak for those landowners up on Main Street -- but if in lieu of our berm and vegetation an easement was obtained in lieu of that that would allow the vegetation to be placed up closer to Main Street, which obviously, as Emil said, maybe about 30, 35 foot higher, that could be used in lieu of. I will tell you it's something that may be viable. We would have to talk with the current property owners about that easement. That could be something that could be -- the SUP could be stipulating that it is what we proposed in terms of the berm and vegetation. Then as an alternative, if that were agreed upon, we could pursue that other option. It may actually be more viable, but it is subject to the easement preparations."

Mayor Burgess asked, "Staff, is that what you all basically wanted?"

Mr. Coggsdale stated, "Screening came up several times during the public hearing. We wanted to make sure something was addressed on that side."

Mayor Burgess stated, "They did kind of a bum job on there, on what they were supposed to do. That's a good point. Any other questions pertaining to height, chip storage?"

Mr. Mattox stated, "Safety, I think it's addressed in the SUP that the fire marshal and your insurance -- it's my understanding with conversations with Mr. Edwards, currently there's no fire hydrants down there, but you plan on fixing that."

Mr. Eck responded, "Regarding our fire system, we are going to have Dave Faison speak about our fire system protection."

Mr. Faison stated, "To answer your question first of all, yes, sir, we are going to be

installing a fire loop around this new pile. We will have monitors there for fire fighting. Of course, everything will be built to all the local and state codes, whatever those requirements are. We will have to get permits for that. The biggest risk of fire at the pile is spontaneous combustion. It's a condition that can be managed, but you can't dismiss it as a possibility. You do have to consider that and make plans for that. We are successful in managing that across the street since Dominion has owned the property since 2004. We have had no fires over there. I think there were a few instances prior to Dominion's ownerships, none which required the use of any fire department for fire other than a guy throwing a cigarette in the sawdust pile. We had them back us up. It's a thing you can manage, but it has to be considered absolutely. So our practice is to work with the localities because our guys at the plant are not trained to put out large fires. In fact, they are not allowed for safety reasons to handle fire hoses and so forth. We do absolutely rely on local municipalities or local volunteer organizations to help us get that done. Consequently, we invite those organizations out to the plant. They have been in Altavista a number of times. We walk around with them, show them our installed fire system, show them where the safety hazards and hazardous areas, high voltage and so forth. I think in this case with this new pile here and the acknowledgment that you can't dismiss the risk of spontaneous combustion, we would take it a step further and would want to work with local how a fire like this, if it were to happen, if our management practices failed us for some reason, how this fire would be attacked if it happens. We have that all worked out and planned with the experts and so forth. That's just good business that we would do, will do any way."

Mr. Mattox asked, "Would it be reasonable to ask since you are relying on local fire departments to offer some support to those fire departments since they are supplementing you?"

Mr. Faison asked, "Are they volunteer organizations?"

Mr. Mattox responded, "Yes."

Mr. Faison stated, "Yes, we do that. We make a donation to them every year."

Mr. Mattox stated, "Not to ours."

Mayor Burgess stated, "I think his question was before."

Mr. Faison, "We do."

Mr. Mattox asked, "But you will to Altavista?"

Mr. Faison stated, "We did make it to Altavista."

Mr. Mattox, "I serve on the board, sir."

Mr. Faison stated, "He writes the check."

A speaker stated "We didn't write them one last year when we shut down. We have an annual budget. We send them to firemen."

Mayor Burgess stated, "I think before they had the fire department there two or three times. I was on the fire department, and I think they are pretty active with the fire department setting up a plan to fight it with."

Mr. Faison stated, "We also installed a dry pipe on our big storage pile for the town's use if we have a water issue."

Mr. Higginbotham asked, "Can you show where your chips come in off the tipper there and where they go to and how this underground, I guess --

Mr. Faison stated, "Trucks are going to come in -- let me get myself oriented -- and

back in to these two tipping points. The truck will be lifting there to dump it to the chute. Not on the ground like you see across here, but into a receiving chute and it will be conveyed up this way and out -- this is a conceptual design. I'm describing a conceptual design. This may not be the design -- to a radial stacker, which can swing around. This is the pivot point. It can swing around this arc."

Mrs. Dalton questioned, "Is that conveyer above the ground?"

Mr. Faison replied, "Yes, ma'am."

Mr. Higginbotham stated, "It's 150 feet above the ground."

Mr. Faison stated, "That's maximum height. Underneath the pile, which you cannot see on this drawing, no drawing that we have produced yet that shows that, the underground would be a series of reclaim screws that pull coal -- pull wood off the bottom of this pile and then convey it up to the plant."

Mr. Higginbotham asked, "How big will it be? The entire bottom footprint of the pile will have --

Mr. Faison stated, "Everywhere we have wood, we have to be able to reclaim it off of there."

Mr. Eck stated, "Mr. Mayor and Council Members, we are providing you 3D visual. We have given you two dimensional."

Mr. Avram stated, "We recently generated this 3D rendering. What it tries to do is create these -- convert these 2D drawings to a 3D rendering so you can have a better visual idea what this is going to look like. Off to the right is the Altavista power station that's in operation. Everything to the left is new, would be new. So you can see in the horizon actually is Main Street. So Main Street, if you orient yourself, Main Street is in the horizon running right and left. So the trucks would come in, you know, from behind the woodpile. They would come in around, you see the truck scales as you come in around on the lower left portion. They then back into the truck tippers. You can see the two trucks there. They would unload into that chute that Dave Faison mentioned. Then they would be conveyed onto the pile. So you can see where it points to the new fuel stacker and reclaimer there, the stacker is what is actually swinging out over the pile and distributing the fuel in a circumferential pattern. From underneath, you have another system that's underground that's conveying that wood from underneath. You can see the conveyer running from below, running along the ground and then up into the boilers into the silos. I'm trying to give you a better idea of what this would look like."

Mr. Higginbotham stated, "You basically have some type of screw feed or something under that whole pile?"

Mr. Avram responded, "Yes. It would be some kind of system like that, rotating system."

Mr. Higginbotham stated, "You are not going to use a dozer to push anything to it?"

Mr. Avram stated, "We are looking to maximize the automatic nature of the fuel unloading and conveying, that's correct, to avoid having to use dozers. We may have to use a dozer for just peripheral wood maintenance, woodpile maintenance. We anticipate most of the time we would not need it. Again, it's very dependent on what is the final design of the engineering, but we are working towards automating as much as possible."

Mayor Burgess asked, "Are you pretty well satisfied with that now? You have safety or screening or chipper. You have anything to add to that?"

Mr. Avram responded, "Not at this point."

Mayor Burgess stated, "If you are satisfied, we will now move on to the next item,

which is the enforcement of conditions. We talked about those some. Waverly, would you be the one that would discuss this?"

Mr. Coggsdale responded, "I can try. If you look at the small text, it talks about what's in existence in the Special Use Permit. It talks about continued violations. Any conditions and after you give notice in a hearing before Council, a reasonable period to bring said violations and then upon resolution of Council, you can void the Special Use Permits. Now in regard to the penalties, I think question 5 talked about civil penalties. That's on the green sheet. Condition No. 24 on the blue sheet deals with -- well, it just kind of sets forth the routes that you may not utilize."

Mr. Mattox stated, "I have a question about the route. I know your trucks aren't coming over South Main off the 29 bridge. Eventually one day that may be repaired. I would like to add that as a restriction, from Pittsylvania Avenue up to that's --

Mr. Coggsdale stated, "Across the bridge."

Mr. Mattox stated, "Right. That's nothing out of the way."

Mayor Burgess mentioned, "They are doing it now."

Mr. Mattox stated, "That would be a potential entrance into Altavista."

Mayor Burgess stated, "This does not allow them to come down Bedford Avenue to hit Main Street there."

Mr. Mattox responded, "That's correct. The only issue would be -- let's go ahead and do it now, South Main Street from Pittsylvania Avenue south. And also I would ask that the restriction would include these limitations both coming and going."

Mr. Avram stated, "I don't think we use it now because of the bridge condition. But you are saying if the bridge is improved in the future, you would want to restrict us from using that?"

Mr. Mattox stated, "Yes, sir. The reason is we are truly trying to redevelop our downtown."

Mayor Burgess stated, "You are already doing it."

Mr. Eck stated, "We can accept that."

Mr. Mattox stated, "Both requests."

Mr. Eck asked, "Both requests being?"

Mr. Mattox stated, "The other one was that the restrictions are coming and going, not just coming into the plant but exiting the plant also for your --

Mr. Eck stated, "The clarification would be that it's coming and going."

Mayor Burgess stated, "Some of them boys get in and slip out and go another way. That's what he's talking about. That's what we are trying to stop."

Mr. Byrd stated, "The majority of those trucks that are coming down the streets you are talking about, the majority of the time when we investigate them, it's a mill or somebody has a new driver that has not been instructed. That's what we find 80 to 85 percent of the time. They put a new driver on and he doesn't know. When you guys call, that's normally what we find and we try to correct it."

Mr. Mattox stated, "Mr. Eck satisfied my -- I mean, the second time you are fired and then the company is put on notice, I think that's very different from what we were dealing with before. I ask that it be coming and going."



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Mr. Eller stated, "What we have, Mike, is that they may not utilize these streets. It doesn't say coming and going. You don't go on it. How much more explicit can you get?"

Mr. Mattox stated, "That's great. Let's make sure we all understand what that means."

Mr. Eck stated, "Councilman Mattox, we agree."

Mayor Burgess asked, "Any more questions pertaining to the chip storage? Enforcements and conditions, are we satisfied with enforcements and conditions? Everybody pleased with that?"

Mr. Higginbotham responded, "Yes, sounds good."

Mr. Eck asked, "Are you looking for our comments on that as well?"

Mayor Burgess responded, "Yes."

Mr. Eck stated, "We are talking about the enforcement provisions?"

Mayor Burgess responded, "Yes, sir."

Mr. Eck stated, "I'm trying to keep track. We were going through discussions. I want to make sure we have gone over to the blue sheet; is that right?"

Mayor Burgess stated, "Right."

Mr. Eck stated, "Mr. Mayor, I just want to make sure I fully understand everything we are being asked to comply with. I want to make sure we are going through everything on the blue sheet, so I don't misunderstand anything. So what I take from this just for clarity is we fully discussed the issues, is that accurate? I just assume if not, let's talk more about it if there are issues we haven't discussed. What I believe we are doing, we are going to pivot over and we are talking about the blue sheet, we are talking about conditions, are they adequate, are they not adequate, do we have any concerns with them? I want to make sure we have vetted all the issues."

Mr. Mattox questioned, "On the white page? Are you comfortable with the noise?"

Mayor Burgess noted, "We aren't there yet. Mr. Edwards, since you were a little late, we asked quite a few questions. Did you have anything you want to add?"

Mr. Edwards responded, "I don't have anything to add. Go ahead."

Mayor Burgess stated, "If that's the case, no other questions, we will get into noise, chip spills, and fuel sources. We talked about that some. Noise is what we might want to get into. We do have a noise ordinance here. Mr. Town Manager, anything you want to say?"

Mr. Coggsdale stated, "The noise ordinances are defined on the blue sheet at item No. 4."

Mrs. Dalton stated, "I have no issue with it, Mr. Mayor."

Mayor Burgess asked, "Are you satisfied?"

Mr. Eck stated, "The noise as listed in specific conditions is acceptable."

Mr. Higginbotham asked, "Is that consistent with our code?"

Mr. Eck responded, "Yes."

Mayor Burgess said "Yes."

Mr. Mattox asked, "What is the noise of a bulldozer, the decibels? I can hear your plant from my house."

Mr. Eck stated, "Councilman Mattox, I'm going to have Mr. Faison address the noise and what we are doing regarding that."

Mayor Burgess stated, "We talked about that a little bit the other day."

Mr. Faison stated, "I don't know the exact answer to your question. Noise measurement is an interesting thing. It has to do with distance from this thing, what scale rating you're using, whether it's in the audible range for human hearing. It's complicated, but we are going to comply with the ordinance. I don't know how loud a bull dozer is. We did hear through this process and touring with you folks a concern to at least my attention that they had gotten to. I did hear about it during this process on the dozer noise. This is not the first time Dominion has ever heard a complaint at a power station about a dozer noise issue. So when I heard it here, I went back and asked my colleagues if we had addressed this problem anywhere else. We do have a plant up near Boston, our Brayton Point station, which is one of the largest coal fired plants in New England. It is surrounded by residential areas. Through the history of the plant, they have received a lot of complaints about noise, particularly the backup beepers that OSHA requires we have on them and track noise, particularly when they roll down a pile. They are always using those dozers to push coal up the pile and then they reverse back down. They have addressed it there and have reduced complaints dramatically. What they have done we are going to try to implement here. The main thing is these backup beepers, that high piercing sound that is designed to get people's attention gets the attention of people that don't need to be notified across the river. There's been a lot of research done on that. There's some backup beepers that are -- they call them broadband. They don't send out one piercing frequency, but I think Emil made the shh-shh sound for you when he was here the last time. It's a low frequency sound on a broad spectrum that doesn't travel off site nearly with the propensity that the high frequency does. We've already ordered them for the Pittsylvania dozers. It's not a big deal. They are only 68 bucks a piece. When I found that out, we ordered them immediately. We are waiting on them to show up. We are going to be putting them on when they get here. We are also going to look at -- I know there's a track noise issue over there. One of the things we did at the Brayton Point station, you have seen those big dozers, you have a big drive pinion up high. That's where a lot of noise emanates from when the machine is running. They were able at the Brayton Point station to build some shrouds over those that helps confine that noise within that shroud. We have asked Caterpillar, who is our manufacturer of the dozers, to see if that application will work in a wood application. There is a fire risk there that I'm concerned about that you don't have with coal. If you pile that wood up in there up under this shroud, we could have a fire risk. We did lose a dozer to a fire. I think it was last year. So we might not be able to do that like we did at the coal plant. The beepers, they are on their way.

Mr. Mattox stated, "Your plan will not need the dozer that much anyway?"

Mr. Faison stated, "That's right. I don't want to say we will never use one."

Mr. Mattox stated, "There will be one."

Mr. Faison stated, "For clean up. We talked about spontaneous combustion earlier. If you do have an outbreak or an incident of that, the way that's dealt with and managed is you cut that stuff out of the pile. You push it out of the pile. Burying it down there doesn't make it. You need to cut it out and push it off to the side before it migrates throughout the pile. You need to have a dozer to do that. We will have a dozer there. Its utilization factor will be much less than what it is across the street, which is almost entirely a dozer operation."

Mr. Mattox responded, "Thank you for that." Could you restrict the dozer use to daylight hours, is that feasible?"

Mr. Faison stated, "Without knowing the final design, I don't know. That's our preference. One thing different, Mr. Mattox, in the design at Altavista that has an advantage for the type of thing you are talking about compared to Pittsylvania, we will have some type of in-plant storage, a silo, bunkering, something like that so we can stock fuel up in the plant and not continually feed it. We have to continually feed it over here. We are constantly having to push the dozers. That won't be the case here. The fewer folks on night shift the better."

Mayor Burgess responded, "Thank you. Are you satisfied with noise now?"

Mr. Mattox replied, "Yes, sir."

Mayor Burgess stated, "Chip spills, we talked about. Do we need to talk anymore about it? Fuel sources."

Mr. Higginbotham stated, "We covered it as an issue. I don't think we resolved it."

Mayor Burgess stated, "If I understand it correctly now, we are being told our officers can write a ticket."

Mr. Higginbotham stated, "But it's not up to us to have –

Mayor Burgess stated, "But it's up to us to catch them if they mess up our streets."

Mrs. Dalton stated, "If we have a code that allows it, it's partly our responsibility to exercise that. So it's both and. It's all of the above. It's not just us. It's not just them. It's everybody."

Mr. Higginbotham stated, "If this gets approved, we are allowing this to come in and creating more work for our police department. That's not the way it's supposed to work. Mike made that point earlier."

Mrs. Dalton stated, "We have a more robust police department now because we have a more robust community. To some degree you can't fight -- that is what it is what it is. They have already told us what their contribution to the issue is. I think we haven't exercised our code enforcement as much as possible."

Mr. Higginbotham stated, "Well –

Mr. Mattox stated, "Mr. Eck may have a solution. I'm hoping."

Mr. Eck stated, "You are hoping. I appreciate that, Councilman Mattox. Actually I want to clarify. I think there's two elements to this. What I want to highlight is there is the enforcement that's been identified that we don't have the jurisdictional authority. I do want to recognize the incremental tax revenue that we will be contributing to the town, which can be utilized as the town so chooses. Regarding procedures, Council Mattox, we talked about how we are going to address procedures and violations and those type of things. Lastly I will just say when we get to the specific conditions separately if there's a condition regarding debris and cleanliness, we can talk about that in the conditions portion. We are going to keep these streets clean."

Mayor Burgess asked, "Okay. Does anybody have any questions for any of these gentlemen? Everybody's satisfied? Do you gentlemen have any questions for us?"

Mr. Eck stated, "Actually, we have had a lot of discussion regarding the issues. I want to -- I will ask you again. I believe everything is on the table in terms of what the issues are. If you don't feel as though we satisfactorily explained something, I want to have our experts or myself explain something further. Then I do want to take us to what does this mean in terms of the Special Use Permit, what's currently in there, and what are we contemplating that would be the same or different than what's currently in there. That's the aspect of how does this –

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Mrs. Dalton questioned, "Have you been able to look at what Staff provided us all this afternoon? Have you been able to look at that?"

Mr. Eck responded, "Fairly quickly, yes, and I can respond to a lot of it."

Mrs. Dalton asked, "In general, are there issues that are untenable to you?"

Mr. Eck stated, "There are concerns."

Mrs. Dalton asked, "You want to tell us what they are? Is that in order, Mr. Mayor?"

Mayor Burgess responded, "Sure it is."

Mr. Eck stated, "Let me address –

Mrs. Dalton stated, "We will do this in reverse. You are on the spot now."

Mr. Eck responded, "What I would like to do, if you look globally at the markups, I'm looking at what we were provided prior to the meeting, the blue sheet we will call it, but it's the special conditions. There's several points in this document that really identify the strike out of coal, removal of coal. What we would advocate for the town and for Dominion and for our customers is that we focus the coal restriction on truck and the elimination of truck coal deliveries. That's what we had talked about previously. We absolutely support that. We believe that the -- what we -- our commitment there would be we would not be bringing coal in by truck. From a flexibility in the future that at this time that we don't strike out coal in its entirety from the conditions of the Special Use Permit."

Mr. Higginbotham asked, "Do you plan on converting us back to coal at some time in the future?"

Mr. Eck responded, "No, we don't plan on it."

Mr. Higginbotham asked, "You want the ability to convert it back?"

Mr. Eck responded, "If we end up converting this back, we would have to go back and apply for an air permit."

Mr. Higginbotham stated, "I think you would have to come back in front of us, too."

Mr. Eck stated, "What we are saying is to the level that it's a concern is regarding truck delivery and truck deliveries, which we heard about, we should strike the coal truck deliveries.

Mrs. Dalton stated, "My thought about striking the coal was you weren't going to be using coal anymore, so it was just an inappropriate word."

Mr. Eck stated, "It's not our intention right now to be using coal. We think it may be in the best interests of the town and Dominion that we don't strike coal absolutely from the Special Use Permit."

Mayor Burgess asked, "Have it by rail only?"

Mr. Eck responded, "Have it by rail only."

Mayor Burgess asked, "Is that okay with you all?"

Mrs. Dalton asked, "Under what circumstances would you bring coal in by rail to burn?"

Mr. Eck responded, "We would have to go back at some point in the future and we would have to apply for a new air permit. We would have to go through the Department of Environmental Quality and do an application for that and get a new permit.

Mr. Higginbotham questioned, "How much would it cost you to convert the plant back to coal?"

Mr. Avram responded, "One of reasons we want the flexibility is let's say 20 – we can't envision what the future is going to look like. Let's say 20 years from now for whatever reason coal prices go down to \$20 a ton and for some reason wood has pushed its way up to \$60 a ton. In that kind of scenario, we would be looking at the same evaluation we just did to convert it from coal to biomass. The reverse can happen, say, 30 years from now."

Mrs. Dalton stated, "It's an academic issue right now. There is no point at which you anticipate bringing coal in, but academically you would like to leave this door open."

Mr. Eck stated, "We think that would be advantageous when we took the application through the State Corporation Commission."

Mrs. Dalton responded, "I see. I see no harm in it."

Mayor Burgess responded, "I see no harm in it."

Mr. Higginbotham stated, "I think we need to vote on it."

Mrs. Dalton mentioned, "We can't vote tonight."

Mr. Coggsdale stated, "I think if you want to consider, at some point you have to reach a consensus on the conditions if that's the route you are planning on going. But I think what we have heard is Dominion stated their desire to keep coal as an alternative."

Mr. Eck stated, "Rail delivery only."

Mrs. Dalton stated, "I thought it was a semantic issue. We were just trying to get our definitions right. We weren't going to be burning coal anymore, so there wasn't any need to put the word coal in there. That's the way I was looking at it."

Mr. Higginbotham stated, "I think that explains why they don't want to put a 25-million dollar tipper on the other side of the tracks."

Mr. Eck stated, "I believe we directly addressed why we don't want to put another tipper on in terms of incremental costs as Mr. Avram has identified."

Mrs. Dalton stated, "With that issue out of the way, is there another point that you would have us ponder –

Mr. Eck responded, "Sure."

Mrs. Dalton stated, "-- in this blue document?"

Mr. Mattox stated, "I have a question. What is the possibility -- and I know it's not feasible now because I don't think there's a pipeline large enough -- for this plant to eventually become natural gas? Is it feasible for this plant to be natural gas?"

Mr. Avram stated, "If you look at today's market for fuel, wood -- on an apples to apples basis when you take out the moisture content and all that, biomass fuel is the lowest cost, than coal, and then natural gas. So right now on cold, we already know it's not economical; and it was put in coal reserve because of that. So putting it on natural gas would make it worse today."

Mr. Mattox stated, "I'm not requesting for today."

Mr. Avram stated, "It's possible in the future if natural gas somehow cuts in half or even more than that from where it is today, which today it's already at record lows from what we have seen historically. It's certainly possible. We have to look at whether we can get

enough gas to the site. That's not known. We think that may take a lot of infrastructure work to bring a new pipeline into the town for the amount of gas that would be needed. That's a possibility in the future. But today with the current projection for natural gas prices and the whole oversupply from the Marcellus Shale drilling, it's expected to stay low for a reasonable length of time."

Mr. Mattox questioned, "So this plant can be converted to natural gas?"

Mr. Avram stated, "It's possible, but –

Mr. Mattox responded, "I understand why.

Mr. Avram stated, "It's not the most efficient technology to convert natural gas to electricity. If you were to look at -- you probably heard about natural gas is at an all time low, but it's still more expensive than coal and wood. There are other technologies that use natural gas that use gas turbines and steam turbines and what's called a combined cycle technology that we are building in Bear Garden in Buckingham County and proposing another one in Warren County that uses that technology. Its plant efficiency is almost double compared to this kind of large scale boiler technology."

Mr. Mattox responded, "Thank you, sir."

Mrs. Dalton stated, "Let's get back to the blue sheet. Maybe we can efficiently get your concerns and then we can decide whether they are pivotal to us."

Mayor Burgess asked, "What's your next one?"

Mr. Eck stated, "Since I'm not going to be redundant on the coal issue, we will move on."

Mrs. Dalton stated, "Yes. Being generically throughout the whole document on coal issue."

Mr. Eller stated, "The only place we take out coal is 22."

Mr. Avram stated, "And five."

Mr. Higginbotham stated, "That's subject to us agreeing on it."

Mr. Eck stated, "Leave coal in except for 22 is what he's saying."

Mr. Avram stated, "Got it."

Mr. Eck responded, "Subject to the Council approval."

Mrs. Dalton mentioned, "Moving right along."

Mr. Eck stated, "So now I'm going to stick with Article 22 and a clarification that's been added at the bottom of that. I'm still in the first paragraph and there's an insert, "And such trucks may not be utilized" and we have listed. The only clarification we would want regarding that is 'Will not use on Bedford Avenue, Clarion Avenue, or Lynch Mill Road within the Town of Altavista.' That would be the only clarification as we spoke about in the past. That's just a clarification point there."

Mr. Eller stated, "And we are going to add Main Street from Pittsylvania Avenue south to Bedford."

Mr. Eck stated, "Within the Town of Altavista. The key point we would like to have is within the Town of Altavista."

Mayor Burgess stated, "Within the Town of Altavista."

Mr. Eck stated, "Next paragraph --

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Mr. Avram stated, "I have one question. I'm sorry. If a trucker wants to patronize a business on South Main Street, we are saying no?"

Mr. Higginbotham responded, "Absolutely not."

Mrs. Dalton asked, "Where can he get in and out? He can't get in and out of anything."

Mr. Avram stated, "I just wanted to ask the question. I wanted to know."

Mayor Burgess stated, "-- purchase fuel."

Mrs. Dalton asked, "Where?"

A Speaker asked, "They can purchase fuel at Blanks Oil."

Mrs. Dalton asked, "Where is Blanks Oil?"

A Speaker responded, "Right across from Campbell Avenue."

Mayor Burgess stated, "Bobby supplies fuel to some of them."

Mrs. Dalton said, "That's tough to restrict that."

Mr. Mattox stated, "I think we need to discuss that at a later time."

Mr. Eck stated, "That's a good point that was brought up."

Mayor Burgess stated, "I don't know how many Bobby deals with, but he does deal with some."

Mr. Avram stated, "It would be something you will evaluate."

Mayor Burgess stated, "We need to look at that because Mike Pickerel brought it up last month how much he sold in his store to wood haulers that go back by."

Mrs. Dalton responded, "Okay."

Mr. Eck stated, "Still on the same paragraph, 22, we would like to have some clarifying language that I believe meets the intent of this. As was mentioned by others, these trailers will actually haul for Mead-Westvaco; they haul for several different entities. So we would just like to clarify the language here that VEPCO shall cause all of its haulers to have an unique identification on their equipment so it clearly be recognized. The point here we want to clarify is that we use a tag, a number system. We are not having a Dominion logo on these trucks, but we do agree. It's just a clarification."

Mrs. Dalton stated, "I think that was the intent, is it not, John, that we use the coding we have been using."

Mr. Higginbotham asked, "Where do you put the tag?"

Mr. Eller responded, "Whatever is the best way to identify them as long as they can be identified. If the way they are doing it now is acceptable, then –

Mr. Eck stated, "Back of the trailer both sides."

Mayor Burgess asked, "We do understand we have log trucks coming down those streets now that we can't stop."

Mrs. Dalton stated, "But they are not coming to these plants."

Mr. Eller stated, "It's going to be on both sides in the back?"

Mr. Eck stated, "It could be on either side, but it will be on the back."

Mr. Byrd asked, "Can I clarify one thing? You folks do realize that these loggers, say one of them is cutting back this way, he's cutting chips to go to Georgia Pacific in Big Island or Mead-Westvaco in Covington that they are not -- it's not our fuel. When they come Pittsylvania Avenue and they take a left and go up Bedford Avenue and they are going to GP or Westvaco or whatever, that's not our fuel. That happens and we get calls from the town that there is a chip truck going up Bedford Avenue, it's not our fuel."

Mrs. Dalton asked, "Is that a chip truck that could have your number on it and from time to time could go to your plant?"

Mr. Avram responded, "Yes."

Mr. Byrd stated, "These guys are marketing to multiple people."

Mr. Eck stated, "That's the reason for that process where the complaint with the tag number and the date and time and then we actually research, Roy researches."

Mrs. Dalton stated, "Match them up."

Mr. Higginbotham stated, "Here is the whole question: Is there any consequence to that driver for doing it? Is he going to be able to haul for VEPCO next week?"

Mr. Eck stated, "What I talked to earlier was the process if it's an identified infraction that was on a Dominion load, we talked through the process earlier."

Mrs. Dalton stated, "As I understood it, Jay, if, for instance, our law enforcement stops and gives a ticket or somebody turns that name into Roy for research, they have to look at who just provided fuel and match them up before they suffer the consequences."

Mr. Higginbotham stated, "If it's a non-VEPCO trip --

Mrs. Dalton responded, "It's a moot issue."

Mr. Higginbotham stated, "What about the next day if VEPCO knows the guy -- I mean the truckers are not stupid. If they can drive through town with a Covington load and next week they can't with a VEPCO load, is there any consequence -- does VEPCO take any action for a trucker who is smart enough to beat the system that way?"

Mrs. Dalton stated, "He isn't going to beat the system because if he gets tagged, we are going to run it through their deliveries. If he made a delivery to Dominion's one, two plant here, he has consequences."

Mr. Higginbotham stated, "But in the morning he drives up Bedford with his load of chips, goes up to Covington, comes back and gets a load of chips and comes in the north way, that's perfectly legit or is that an issue with us?"

Mrs. Dalton stated, "That's perfectly legit, and there's nothing we can do about it. Mead-Westvaco doesn't have a Special Use Permit with us."

Mr. Higginbotham stated, "I understand that. What we are saying is VEPCO is going to tolerate -- there's no consequence to the driver for violating the intent of this ordinance even though he's legal in doing that?"

Mayor Burgess stated, "He made the statement there's a first time and the second time, he's losing his job."

Mr. Higginbotham responded, "I understand. The question is --

Mrs. Dalton stated, "No consequences to him."



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Mr. Higginbotham questioned, “Does he get reprimanded by VEPCO and encouraged not to do that?”

Mrs. Dalton stated, “He shouldn't.”

Mrs. Coleman stated, “Not unless –

Mr. Eck stated, “We address our loads in the manner we discussed.”

Mayor Burgess stated, “I think what you do is you do the best you can.”

Mrs. Dalton stated, “Let’s see if we can move on.”

Mr. Eck stated, “I do have one other clarification on this paragraph 22. It will be words we can work through in that second paragraph. Since we do not directly contract with haulers, we want the language to be clear here in addition to the tagging that we identified unique identifiers, we would like to add a language here where it says, "VEPCO deems necessary that those haulers that are providing biomass fuel to the Altavista station." It's the same intent. "Its" is kind of possessive to haulers. They are not under our contract. It's a word clarification that it be those haulers that are providing biomass fuel to Altavista station.”

Mrs. Dalton stated, “We are getting words to mean what they say. In other words, mean them what we want to say. John, do you understand his point?”

Mr. Eller responded, “Got it. I will put it in there.”

Mrs. Dalton continued, “Moving right along.”

Mr. Eck stated, “I'm going on to Article 28.”

Mrs. Dalton responded, “Please do.”

Mr. Eck stated, “Regarding Article 28, I believe what we talked about here regarding fire hydrant relocation, I agree with that. We put that up to a maximum of a hundred feet as far as relocation. I didn't see that listed.”

Mrs. Dalton asked, “A hundred feet from, where it is now?”

Mr. Eck stated, “Correct. I think that should be adequate.”

Mrs. Dalton stated, “He wants to make that 100 feet.”

Mr. Eller responded, “One hundred feet from its present location?”

Mr. Eck said, “Correct.”

Mrs. Dalton responded, “Okay.”

Mr. Eck stated, “Regarding the next article, which we had some discussion about, this is now regarding --

Mr. Arvram stated, “One more thing on that one.”

Mr. Eck stated, “Okay. Emil brought up a point that we would like to reimburse the town rather than at our sole expense. We would be paying the town to do the relocation.”

Mrs. Dalton asked, “We get it done, you reimburse us?”

Mayor Burgess asked, “You got that, Town Manager?”

Mr. Coggsdale responded, “Yes.”

Mr. Eck stated, "Thank you for bringing that up. Next item, this has to do with the modifications at the intersection of Pittsylvania and Main Street as we talked about and the letters that have been provided by the Department of Transportation. We believe that the intent here is consistent. What we would advocate is that we would put this language in here that would state that if the conversions of the modifications of the intersection pursuant to the letter and just cite the letter since that's actually a document and commitment from VDOT that are not completed -- that modifications as outlined are not completed by the commercial operation date of the station then Dominion will proffer the \$10,000 and address the restriping. We would just like to reference the VDOT letter and the VDOT commitment. And if that were not completed since that would be something through their schedules, we will do the restriping."

Mrs. Dalton asked, "Got that, John?"

Mr. Eller stated, "Instead of saying, 'If for any reason the completion is delayed beyond December 31st,' we are going to say, 'Beyond the commercial operation date of the power station'?"

Mrs. Dalton responded, "Right."

Mr. Eck stated, "Yes. We just actually ask that we reference the letter, the VDOT commitment instead of understanding the town and VEPCO, it would just be pursuant to the letter dated such and such from VDOT, this intersection modification will occur. If that does not occur by the time the power station goes operational on --

Mr. Avram stated, "On biomass fuel."

Mr. Eck stated, "-- the applicant will proffer the \$10,000 for the restriping."

Mayor Burgess asked, "Are there any questions?"

Mrs. Dalton asked, "Are you through?"

Mr. Eck responded, "No."

Mayor Burgess said, "Sorry."

Mr. Eck stated, "I did have a question quite frankly, and a significant question on 30, which the way it reads to me right now, this severance clause, it says, 'This SUP is not severable.' Then it says, 'Invalidation of any word, phrase, sentence, or paragraph shall invalidate the remainder.' Typically what we would see would be language if there were a word, phrase, sentence, or something that were invalidated, the remainder of the agreement is maintained. So when we would apply, for instance, for our request for approval to the State Corporation Commission, they would understand the SUP would maintain in its entirety, for instance, if there were a new legislation or new regulations that overrode something that was in the SUP. The way this reads right now, we would have a significant concern with this article including, say, a new state law that would invalidate a clause and, therefore, the whole SUP would be invalidated. For us to present a regulatory request for approval to convert with that type of clause is --

Mr. Eller stated, "Mr. Eck, the reason I put that in there is because all this negotiation that we are doing now is to get the whole package. And I didn't want it to be so that if there was something you all didn't like that you would go to court to get that wiped out and cherry pick the things you don't like and then have all the rest of it to remain in effect. That was my purpose. Something that you all did, not something that the state legislature did or beyond your control or anything like that. That's what this was about."

Mr. Eck stated, "I just --

Mr. Eller stated, "Because we want this deal to be a package, and we don't want anybody picking on it."

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Mr. Eck stated, "If there were modifications made to the SUP that would bring those back, if they were valid modifications in the SUP. But just to have a clause in here that would invalidate the SUP in its entirety –

Ms. Dalton asked, "Do you understand John's concern?"

Mr. Eck stated, "Yes, I think I understand your concern."

Mrs. Dalton, "John, you understand his?"

Mr. Eller responded, "Yes."

Mr. Higginbotham stated, "That's the only teeth –

Mrs. Dalton stated, "It seems like to me you might be able to work through this."

Mr. Higginbotham stated, "That's the only teeth we are going to have to enforce this."

Mrs. Dalton stated, "Let's see what we can come up with the two of them having some sort of agreement."

Mr. Eller stated, "It appears to me that we are coming together, and we are getting an agreement here and you are not going to want to appeal anything. But I would just like that comfortable feeling knowing that if you did do something like that, if Virginia Power –

Mr. Eck stated, "I think we are narrowing it to certain circumstances. John, that's something we can talk about and understand those circumstances."

Mrs. Dalton stated, "Why don't you all work on that?"

Mr. Eller stated, "If it's due to something beyond the control of Dominion, that's not what I'm trying to get at."

Mr. Eck stated, "I think we need to just look at the language –

Mr. Eller replied, "Sure."

Mr. Eck stated, -- and see what would be reasonable language. To have a situation where it would blow up the whole agreement for any circumstance would be a challenge."

Mr. Eller stated, "We wouldn't want to do that if some outside force changed the agreement. That's not what we are doing."

Mrs. Dalton asked, "Why –

Mr. Avram responded, "Right now, that's the way it reads though.

Mr. Eller stated, "It's a little scary."

Mrs. Dalton stated, "You all work on that. And sometime in the next week before our vote night, we will see a new draft soon enough. Anything else, Mr. Eck?"

Mayor Burgess stated, "Before you leave today, I want to make sure everybody is satisfied."

Mrs. Dalton stated, "I'm not finished with my questions. Mr. Eck, have you got any other concerns on that blue paper document? I'm not holding you to it. If you were to see something tomorrow morning or later on, certainly notify us."

Mr. Eck stated, "We did a quick review. We huddled here right before we came in. We

didn't see any other concerns in it. What I would like to ask is if out of this discussion and the discussion of some of the documented issues, if something were, you know, it's just not clear to me if you are asking for anything additional to this.”

Mrs. Dalton stated, “No. I don't think I am. What I would suggest is that any time during the next week if we are wordsmithing and tweaking this document that not only does Council see it, but after Council has seen it and agreed, that Dominion review it and that they not come here next Tuesday night and we have a document that they have not addressed. Does that make sense?”

Mr. Higginbotham asked, “Where is our proposed language for the exploring an alternate route? Where is that in the SUP?”

Mr. Eller responded, “I think that's going to be mighty tough to put into a Special Use Permit.”

Mr. Higginbotham stated, “I think we have got to do it, John.”

Mr. Eller asked, “How are you going to have a condition that says people are going to form a committee and see what they can do?”

Mr. Higginbotham responded, “I think that's what we are going to have to say.”

Mayor Burgess stated, “I don't think that will fly. I mean I'm all for it.”

Mr. Eller asked, “How do you enforce that?”

Mrs. Dalton asked, “Jay, how about you come up with some language and send it to John and we can see if we can work it in?”

Mr. Higginbotham responded, “Okay.”

Mr. Eck stated, “The question would be the enforceability of it. The enforceability of something that is, you know, we don't have a defined solution yet. The commitment in the records and the minutes are showing our commitment that we are held accountable to.”

Mr. Higginbotham stated, “We don't have any monetary amount. All we have is a commitment, we will work with you. What does that mean?”

Mayor Burgess stated, “I don't know how we can hold them to it, Jay.”

Mr. Higginbotham stated, “We are going -- theoretically, we are going out on a limb to expedite and get this approved so they can go forward with their application.”

Mayor Burgess responded, “You have trashed everything you can trash in this thing for God's sake.”

Mrs. Dalton stated, “So we are not here until midnight and so we can be more productive -- I'm not very productive right this minute because I'm done. I'm cooked on this subject - - may I suggest, with all due respect, Mr. Mayor, to Councilman Higginbotham that he come up with the language and he submit it to the town attorney as well in turn after working through with Staff the language that would be acceptable to you and –

Mayor Burgess responded, “That's fine with you all. I don't feel like I can go with tying them down that they have to make arrangements for a road.”

Mrs. Dalton stated, “I would have to look at it.”

Mr. Eller stated, “If you read the memos I have sent you -- just read the memos I sent you and this is not going to work.”

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Mr. Eck asked, "Can you repeat that for us for clarity?"

Mr. Eller sated, "You can read the memo."

Mr. Edwards asked, "Could I raise a question with regard to your comment?"

Mr. Eller responded, "Sure."

Mr. Edwards asked, "If as a councilperson I felt that the traffic was an issue concerning the health, safety, and welfare of our citizens, I would be powerless to address that, is that what you are telling me?"

Mr. Eller stated, "The Supreme Court, the solution of compelling them to buy right-of-way from Schwarz and Schwarz over there and build a road completely off the town is powerless to compel that."

Mr. Higginbotham stated, "But you cited a case where a subdivision required some off site improvements that had nothing do with that. We are talking about access to get the trucks to the plant safely. That's all we are talking about."

Mr. Eck stated, "We currently have VDOT studies that have been done."

Mr. Higginbotham said, "You can do all the VDOT studies you want. And with all due respect to AECOM on their study, once you have the truck hit the school bus or hit the little old lady who is trying to turn in the shopping center, the study doesn't do you any good."

Mayor Burgess asked, "To do what you want to do, you have to do two roads. You have to come from that away or come this way."

Mr. Eck stated, "What we will commit to in the SUP is the things we talked about here and they are very specific. We can be held very much accountable to restriping, our commitment to various limits and we talked through those. We would ask that you consider that our demonstrated good faith efforts to date in working with Council and the record will be for Dominion that we be held accountable for the Council and any committees you set up in the performance of diligence in that manner."

Mayor Burgess asked, "Okay. Before we leave, is there anything else? We are going to vote on this thing Tuesday in a week because I'm waiting two days of my vacation to make sure I get a vote on this. We are going to vote next Tuesday night at six o'clock, right, Town Manager?"

Mr. Coggsdale responded, "Six p.m."

Mayor Burgess asked, "So that's what time we set. We are going to vote on it next week, up and down or between, but we are going to vote on it. If you have any other questions we might want to ask next week, we can ask them. But are not going to get in a debate like we have today. We have hashed and hashed and rehashed. John and you can work it out. And if John has a problem, he can get back with us and we can do something about it. That's the best way to do it."

Mr. Eller said, "We will put the changes in we discussed and put it out for everybody to look at."

Mr. Eck stated, "Mr. Mayor and Council, we appreciate the discussion. We would ask that by working with John, we just provide that dialogue back and forth. I would ask for all of you, have we discussed -- I'm not trying to drag it out here. Have we discussed the priorities?"

Mrs. Dalton responded, "Absolutely."

Mayor Burgess stated, "I think you have been more than fair."

Mr. Eck stated, "Okay. We expect that anything else that the Town Council is asking for, we are going to see that through John; is that correct?"

Mayor Burgess responded, "Right."

Mr. Eller stated, "There's nothing you can't agree on. If we can set up a committee to study this and set up a way to do that, when we are going to start doing that, and all those things are fine. They can be by agreement. We can do that. I just don't think we can compel that."

Mayor Burgess stated, "We are not –

Mr. Higginbotham stated, "You can't compel our votes either."

Mayor Burgess stated, "We know that."

Mr. Higginbotham stated, "I think it would be in your all's best interest to try to work something out on the alternate route, how much you are willing to pay, if you want it in a side agreement, that's the only way I'm going to be satisfied is some understanding that we have a commitment, not just a promise, but a true commitment to find an alternate route that's safe and has good access to the truckers to get in, dump the load, and get out. It's going to help the truckers and going to help the citizens of Altavista."

Mayor Burgess asked, "Do you people have the authority to say we will do that? You have to go to somebody else when it comes to talk about providing money for a road."

Mr. Eck stated, "Regarding alternate routes, we need to make sure they are reasonable, prudent, and needed. That's part of what our threshold will be in evaluating the options. That's why it is very difficult without having gone through a committee work that analyzed the alternate routes to make a commitment that would obligate –

Mr. Higginbotham stated, "You put us in that position. We didn't put you in it. You are the one coming to us with this short time fuse to get it done. I understand that."

Mayor Burgess said, "Jay, VDOT says they can do it right now. How do you argue with that?"

Mr. Eck responded, "With all due respect, we have been in discussions since January, in some cases some earlier than January. We didn't -- we are trying to provide adequate time. We haven't been trying to provide a short fuse. We have been trying to provide adequate time for a healthy discussion."

Mr. Mattox asked, "When did you first realize that this was a possibility?"

Mr. Eck responded, "When was this a concept that we thought would be viable?"

Mr. Mattox replied, "Yes, sir."

Mr. Eck stated, "Right before the end of the year. We thought this was viable. What we do is we go through an internal review process. We elevate that all the way to our senior level through executives to see whether this was something that would be justified. Then we engage at that point. That's when we did engage with all of you at that point when we had our senior review and executive commitment at the end of the year."

Mayor Burgess stated, "Next week it is a vote. It is a meeting, and we will be voting. We extended our last meeting to next week. Any other questions that you have of these gentlemen? The Town Manager has one question for us."

Mr. Eck stated, "I will make one more comment. We will consider everything that has been said here. We did hear some information for us to consider. We are going to take

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that back as well and consider that as we work with John to get the situations and some of the concerns that were raised tonight.”

Mayor Burgess stated, “Thank you. If there is nothing further -- this is not a public meeting. What is your problem?”

A Speaker stated, “It’s not a problem. I was going to make one suggestion or comment rather, if you would allow me.”

Mayor Burgess stated, “Since we have already had the public meeting, we probably shouldn't do that.”

A Speaker stated, “I was going to talk about truck safety.”

Mayor Burgess responded, “Give me that later. There again now, gentlemen, the meeting is adjourned as far as I'm concerned.”

Mr. Coggsdale stated, “Just that part of it. I want to make sure we cover the library issue.”

Mayor Burgess stated, “He has an issue for us about the library.”

Mr. Coggsdale updated Council on the library roof project. He stated \$20,000 of contingency funds were set aside with approximately \$8,900 of the funds being used. Mr. Coggsdale advised some wood rot has been found and was unsure of the cost to replace.

Mr. Coleman stated he felt whatever needed to be done to make the library safe was the direction Council needs to go in.

It was the consensus of Council to move forward with the repair.

Mayor Burgess asked if there was anything else to bring before Council.

The meeting was adjourned at 5:56 p.m.

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J. R. Burgess, Mayor

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J. Waverly Coggsdale, III, Clerk